

KENTUCKY

WINTER 2005 | Volume 4, Number 4

LAW ENFORCEMENT

COLD CASES:

Solving Yesterday's
Puzzles Today.....page 50

Security Conscious:
KOH's New
Executive Director
page 32

FEATURES



66



26



14



32

14

A League of Their Own

The Kentucky League of Cities Makes a Difference in the Lives of Kentucky Law Enforcement Officers

32

Security Conscious

Alecia Webb-Edgington Named New Executive Director of the Kentucky Office of Homeland Security

26

What a Relief Effort

Kentucky Law Enforcement Aids Katrina Victims

72

Sexual Offender Laws

Team Offers 26 Recommendations to Crack Down on Sex Offenders

- 4 Making Horses Drink
- 5 State Needs Stronger Laws on Sex Offenders
- 6 **Briefs**
- 6 Telecommunications Offers Leadership Training
- 6 14th Annual DOCJT Competition Shoot
- 6 Albany Woman Named Honorary KSP Trooper
- 7 Two Kentucky Vehicle Enforcement Officers Receive National Award
- 7 Awards Presented at Emergency Services Conference
- 7 DOCJT Trains Coast Guard in Driving Tactics
- 8 Paris Private School DAREs to Win Awards
- 8 Finn and Betner Receive Telecommunicator of the Year Award
- 8 KSP Cadets Learn New Defense Methods
- 9 Johnson Elected to FBI National Academy Association Board
- 9 Federal Agent Receives Narcotics Officer Award
- 9 Comings and Goings
- 10 Blue Knights Kentucky XI Raise Money for KLEMF
- 12 DOCJT Presents CDP Certificates
- 14 A League of Their Own
- 22 A Leader and His Battalion
- 24 Independence Goes International
- 25 North Carolina Trained — Kentucky Bound
- 26 What a Relief Effort
- 30 Kentucky Creating Program to Respond to Major Disasters
- 31 KSA Works to Update Fee Structure
- 32 Security Conscious
- 39 DOCJT's 100% Solution

- 40 UNITE — Setting High Standards
- 42 Substance Abuse Treatment Plays a Vital Part in Accountability
- 43 Kentucky Curbs Underage Drinking
- 44 Kentucky Vehicle Enforcement Reduces Number of Overweight Coal Trucks
- 46 **In the Spotlight**
- 46 Chief Joe Cline
- 47 Chief Billy Minton
- 48 Sheriff Ken Morris
- 49 New Chiefs of Police Across the Commonwealth
- 50 Cold Cases
- 59 Book Review — DNA: Forensic and Legal Applications
- 68 **Employee Profiles**
- 68 Karen Cassidy
- 70 Ron Godsey
- 72 Sexual Offender Laws
- 76 DRE Pilot Program Comes to Kentucky
- 78 Stuck in Trafficking
- 80 KCPP Assessed Communities

LEGAL

- 84 Crawford v. Washington
- 86 Don't Get Lost in the Search for a Missing Person

TECHNOLOGY

- 88 New Findings Expand Understanding of Tunnel Vision, Auditory Blocking & Lag Time
- 90 Tailor-Made Technology: In-Car Digital Video Recorder
- 91 **What's New**
- > Breathalyzer Source Code Must Be Disclosed
- > Data Center Heads State Security Plan
- > Trolling for Predators

KENTUCKY

LAW ENFORCEMENT

Ernie Fletcher
Governor

Lt. Governor Stephen B. Pence
Justice and Public Safety
Cabinet Secretary

John W. Bizzack
Commissioner

Kentucky Law Enforcement
is published by the
Kentucky Justice and Public
Safety Cabinet, and is
distributed free to the
Kentucky law
enforcement and criminal justice
community.

Staff:

David Wilkinson, Editor
Diane Patton, Coordinator
Abbie Darst
Jacinta Feldman Manning
Jamie Neal
Amicheli Salyer

Contributors:

Edliniae Sweat



Address all
correspondence to:
KLEN
Funderburk Building
521 Lancaster Avenue
Richmond, KY 40475
DOCJT.KLENN@ky.gov

Printed with state funds

The Kentucky Law Enforcement staff welcomes submissions of law enforcement-related photos and articles for possible submission in the magazine. We can use black and white or color prints, or digital images. KLEN News staff can also publish upcoming events and meetings. Please include the event title, name of sponsoring agency, date and location of the event and contact information.



Making Horses Drink

/John W. Bizzack, Commissioner, Department of Criminal Justice Training

Long before the invention of the automobile, Scottish engineer James Watt established the measurement of power under the hood of your car or truck. Often credited with inventing the steam engine, he convinced potential buyers of its value by rating its power in comparison to the work done by horses — the usual source of industrial muscle in his day.

Watt calculated that ponies pulling wagons in coal mines and horses working in a grist mill could lift 550 pounds at the rate of one foot per second. In other words, a horse lifts 33,000 pounds one foot per minute. And that's the figure we use today: one unit of horsepower equals 33,000 foot-pounds per minute.

Regardless of his methodology, the term horsepower stuck. More than 200 years after Watt coined the word, it's used to sell everything from lawn mowers to garbage disposals.

Horsepower is a relative term. On their own, horses do little or nothing. They chomp on hay and instinctively herd together. They don't look for wagons to pull, races to run, fences to jump or riders to toss saddles on their backs. Horses, aside from their magnificence in the animal kingdom, represent a lot of potential energy that is not of much use to anyone until it's harnessed and directed to a worthwhile goal.

A good horse requires a good rider to give it direction. Likewise, a good organization requires a good leader. Your organization may have great people, but without the right touch on the reins, the staff — despite all its potential — may pro-

duce little more than horses grazing behind the fence. And all that horsepower will be wasted.

You don't get horses to move forward merely by digging spurs into their flanks; overloading the wagon, or whistling and shouting giddy up. You can't force horses to win, work or even drink when you lead them to a trough. Horses are incredibly strong, but as a consequence of their strength, you can't make them do much of anything unless they agree.

Organizations are similarly strong. Like a skillful horseman, leaders seek distinctive actions from their staffs, actions that constantly move the organization forward. A controlling directive style — spurs and shouting — may deliver obedience, discipline and even compliance. But if you want to gallop toward your goals, you need something more: initiative, collaboration, enthusiasm and teamwork. A leader can't make anyone do these things, just like a rider can't force his horse to drink from the trough. In fact, your horse may just stop dead in its tracks.

Achieving extraordinary results requires a blend of good staff and proactive management styles, just like winning the race takes a combination of skilled rider and powerful horse. The right combination results in massive horsepower moving your organization forward.

Equally important is the attitude of the leader holding the reins. A staff's performance often mirrors the expectations of its leaders. If you expect your horse to just wander through the pasture, that's what it will do. Likewise, if you expect people to just do their assignment and go home that is likely all you'll get. However, if you expect more, train more and encourage more active participation, you'll be amazed how they race down the home stretch.

The most effective leaders spend time listening to their people, encouraging them to make good decisions and harnessing that outpouring of horsepower. Just give them the reins and let them focus on how to get to the finish line.

(Alex Hiam, Bob Nelson, Fran Tarkenton, Paul Hersey)

A handwritten signature in cursive script that reads "John Bizzack".





State Needs Stronger Laws on Sex Offenders

/Lieutenant Governor Stephen B. Pence, Secretary, Justice and Public Safety Cabinet

On August 19, I led a group of 50 bikers on a daylong motorcycle tour of Kentucky to spread the message that the Commonwealth must crack down on sexual offenders.

When I brought my motorcycle out of the garage to ride it to the ride's kickoff in Frankfort, the day looked like it was going to be treacherous. The sky was dark, and rain was already spattering on the pavement. The ugly weather was an appropriate analogy to the criminals I want to send a message to and crack down on: sexual offenders who prey on our children.

We didn't allow the weather to spoil our tour or the important message we wanted to get out. By mid-morning the sky was clear and the rain had moved on. We had a successful day, a remarkable tour, and I hope to have the same success with the legislation I intend to present on sexual offenders.

Our guest of honor during the tour, an avid biker himself, was Mark Lunsford. Mark's daughter Jessica was abducted from their home in Florida, sexually abused and brutally murdered. Her body was found buried less than 100 yards from their home.

Most of us will never know the excruciating pain Mark Lunsford has faced since his daughter's untimely death. But he is choosing to do something constructive with that pain: lobby for stronger laws across the country to protect our children. Florida passed Jessica's Law within weeks of the tragedy. But here in Kentucky, we don't want to wait until we have a Jessica Lunsford case or a Shasta and Dylan Groene case. We

want to improve our laws now, before another child is raped, tortured or murdered.

The U.S. Department of Justice reports that rapists and pedophiles are more likely to repeat their heinous crimes once they are placed in the probation system. Kentucky's laws regarding sexual assaults must be strengthened, particularly those regarding repeat offenders. We must do better to ensure that these criminals don't have the chance to strike again.

Governor Fletcher and I created the Kentucky Coalition Against Sexual Assaults to look for ways to strengthen Kentucky's laws against sexual predators. I asked the coalition to consider several areas of the law that must be intensified to protect our children and families. Among them:

- identify the category of offenders that warrants a minimum sentence of 25 years for first offenses perpetrated against a child.
- eliminate parole for repeat offenders.
- consider castration as an alternative for certain criminals who commit particularly heinous sexual crimes.
- require lifetime supervision and treatment for predators.
- enact changes to the status given to certain juvenile offenders. Rights of juvenile offenders should not trump the rights of their victims. The community has a right to know about juvenile offenders who commit violent crimes against our children.

It is time for Kentucky to join the ranks and get tougher on these heinous crimes before we have a predator strike again. In fact, we should get out in front of other states when it comes to protecting our children. All the opportunities, happiness and prosperity in the world are meaningless if our children cannot walk the streets or feel safe at home. We need stricter laws to deter and punish those who harm our families. This is part of the smarter sentencing of these criminals. We need to send a loud and clear message that sexual offenders are not welcome in Kentucky and that they will be dealt with harshly.

AT B Pence



/Photo submitted

■ Telecommunications Offers Leadership Training

/Abbie Darst, Public Information Officer



Telecommunications Supervision Basic and Managing a Communications Center are the first leadership-oriented classes offered for telecommunicators at the Depart-

ment of Criminal Justice Training. These two classes are part of a three-part series of leadership development for Kentucky's telecommunication supervisors and managers. Each class is specifically intended to build upon one another in a continuing growth and development process.

The supervision basic class, aimed at first-line supervisors, provides basic introduction to situational leadership and the role of a supervisor.

The second phase, Managing a Communications Center, focuses on time management and human resource management, which centers on the best hiring practices. This class

also gives the students the opportunity to experience the low-ropes challenge course to promote team building.

"Team work is such an important issue with public safety and law enforcement," said Elyse Christian, training instructor in the Advanced Telecommunications Section. "Seeing that they can come from different agencies and still put that aside and come together and communicate effectively helps them realize that it can be done."

The third part of this series is currently being developed and should be available in 2007.

■ 14th Annual DOCJT Competition Shoot

TEAM WINNER:

Bowling Green PD / Score: 859
Team Members: Brian Harrell and Gary Rich

INDIVIDUAL WINNERS:

Class A: Jim Mueller,
Louisville Metro PD / Score: 443
Class B: Tim Gilbert,
Louisville Metro Corrections
Class C: Jeremiah Dowell,
Erlanger PD

COMBAT SHOOT WINNER:

Jim Mueller, Louisville Metro PD / Time: 3:50

RETIRED LEN WINNER:

Ted Florence (retired Paris PD)

DOCJT STAFF WINNER:

Blake Bowling

DOCJT LEN STAFF WINNER:

Don Alwes

■ Albany Woman Named Honorary KSP Trooper



◀ Lt. Gov. Steve Pence (right) and KSP Commissioner Mark Miller (left) presented Melba Speck with her Honorary Trooper Certificate on Aug. 23.

Melba Speck, a resident of Albany and the widow of retired Kentucky State Police Trooper Keith Speck, has been named an honorary KSP trooper. A member of Mrs. Speck's immediate family has continually served as a KSP trooper since the agency was formed in 1948.

Speck's late husband was a member of the first KSP Academy class in 1948. Her oldest son, Jerry, became a state

trooper in 1974 and her son Greg became a trooper in 1988. He is now a captain and serves as commander of KSP Post 15 in Columbia. Speck's grandson, Jeremy Johnson, became a trooper in 2002 and is also assigned to Post 15.

According to Capt. Speck, his mother has taken hundreds of complaints by the public at her home and acted as a dispatcher for her husband during the early years of KSP.

Two KVE Officers Receive National Awards

/Bobby Clue, Public Information Officer Kentucky Vehicle Enforcement

Kentucky Vehicle Enforcement Officer Shannon Chelf was recently awarded the National Drug Interdiction Award for outstanding accomplishments in networking with law enforcement agencies nationwide. Officer Landry Collett was presented with an award for his efforts to reduce drinking and driving on Kentucky roadways.

Officer Chelf received his award at a conference sponsored by the U.S. Department of Transportation in Orlando, Florida.

Officer Collett accepted his award at the Mothers Against Drunk Driving national conference in Washington, D.C. MADD's state and local volunteers nominated Officer Collett as an exemplary officer in DUI enforcement. He was also the recent recipient of Kentucky Vehicle Enforcement's annual DUI Award. With more than 347 arrests for impaired driv-



▲ Top: Ofc. Shannon Chelf (left) receives award.

▲ Bottom: (left to right) KVE Commissioner Greg Howard, Ofc. Landry Collett and Cleve Gambil, Dep. Sec. of the Justice and Public Safety Cabinet.

ing in 2004, he was the leading officer in DUI arrests for Kentucky.

Awards Presented at Emergency Services Conference

John Conley of West Liberty-Morgan County was presented with the Kentucky Emergency Number Association 9-1-1 Service Provider of The Year award by President Wendell R. Hatfield during the 2005 Kentucky Emergency Services Conference. Conley was presented the award in recognition of his dedication and service to his region and KENA.

Shelby Horn, director of Jessamine County Enhanced 9-1-1 was the recipient of the Hal Roger's First Responder Award at the conference. The award was presented by the Kentucky Emergency Management Association, KENA and Kentucky Association of Public Communications. Horn was chosen because of her dedication to the 9-1-1 industry and all first responders in Kentucky.



▲ Standing L to R Tom Armstrong, KEMA president; John Carpenter, Jessamine EM director; Tammy Durham, Jessamine senior supervisor; Shelby Horn and Wendell Hatfield, KENA president.

DOCJT Trains Coast Guard in Driving Tactics

Members of the U.S. Coast Guard group based in Louisville completed a two-day emergency-vehicle operations course at the Department of Criminal Justice Training in November to prepare them for responding to terrorist attacks and other emergencies.

The 14 officers in the class, most of whom work out of Louisville, attended 16 hours of training that included classroom instruction on legal requirements for operating emergency vehicles in Kentucky and practical exercises in defensive driving, skid

control and other techniques.

DOCJT held the course at the Coast Guard's request.

The Coast Guard mandated training earlier this year for officers who would potentially drive vehicles equipped with lights and sirens while transporting their vessels to emergencies, said Lt. Steve Peelish of the Coast Guard's Group Ohio Valley, which is based in Louisville.

The agency, which is part of the U.S. Department of Homeland Security, is in

the process of equipping its vehicles with lights and sirens so that officers may quickly respond to terrorist attacks, pollution incidents and maritime casualty events on the water, Peelish said.

In the past, officers have not used emergency-response vehicles, he said.

Of the officers who attended the DOCJT training, two were part of Group Ohio Valley's command in Pittsburgh, while the rest were under the Louisville command.

■ Paris Private School DAREs to Win Award

A private school in Paris has been named Kentucky's "DARE School of the Year" for the 2004-2005 school year.

The Kentucky DARE Association selected St. Mary School for the award because of the strong support the program has received over the years from the school's staff, students and parents, said Kentucky State Police Sgt. Phil Crumpton, state DARE coordinator.

St. Mary, which has 145 students, has been involved with the DARE program since 1988, said Paris police officer Maurice Lykins, who is the DARE officer at St. Mary.

Per capita, St. Mary is among the smaller schools that have won the DARE award, Crumpton said. Outnumbered by public schools, it is also rare for a private school to receive the honor, he said.

Lykins nominated the school for the award, which is the usual process for nominations.

He visits with classes in each grade at St. Mary, from pre-kindergarten through eighth grade, but concentrates on one fifth-grade class.

DARE, which stands for drug abuse resistance education, is a drug abuse prevention/education program for elementary, middle and high school students.

■ Finn and Betner Receive Telecommunicator of the Year Award

/Abbie Darst, Public Information Officer



▲ Left: Ryan Finn
▲ Right: John Betner

Radcliff Police Department telecommunicators Ryan Finn and John Betner were recently honored as Telecommunicators of the Year at the Kentucky Emergency Services Conference banquet.

Finn and Betner received the award for their handling of an emergency medical call that sent local police and EMS on a search throughout the city.

The call was received from a 7-year-old girl whose mother was unconscious. The child, new to the area, did not know

her address and could only give vague information as to where she lived. As Finn began asking the child questions trying to identify

where the child and her mother were located, Betner began searching maps and databases based on the information Finn was getting from the girl.

Finn and Betner made numerous attempts at locating the child's home such as having the child read off the license plate of a nearby car to having officers drive around with sirens on and asking the child if she could hear them. After nearly 50 minutes, the telephone company was able to trace the call, and the mother, who had become ill and incapacitated from prescription medicine, was saved, later released and is well.

■ KSP Cadets Learn New Defense Methods

/Les Williams, Public Information Officer Kentucky State Police

Kentucky State Police Cadet Class 84 was the first class to be exposed to Krav Maga fighting techniques.

Hebrew for "contact combat," Krav Maga is the official self-defense and hand-to-hand combat system employed by the Israeli Defense and Security Forces since 1948. A highly refined street-fighting system, it has only one objective: to eliminate threats in the fastest way possible.

"Krav Maga is a modern, reality-based training method which features simple movements that

can be learned in a relatively short period of time," explained Capt. Tim Lucas, commander of the KSP Academy. "The techniques are easy to retain and can be performed under stress against both armed and unarmed attackers."

Krav Maga is currently in use by more than 150 law enforcement agencies throughout the U.S., including the FBI, ATF, the U.S. Treasury Dept. and Immigration Service, the Drug Enforcement Administration, the Coast Guard and the New York City Police Dept.



◀ Cadet Edward Jones, of Albany, Ky. (left), and Cadet Donald Bowman, of Murray, Ky. (right), participate in Krav Maga training at the Kentucky State Police Academy in Frankfort.

Johnson Elected to FBI National Academy Association Board



DOCJT Training Director
Horace

Johnson was recently elected to the FBI National Academy Association Board. The association has more than 15,000 professional law enforcement members. As a board member, Johnson will select two individuals from Kentucky to attend the

National Academy at Quantico, Virginia each year. The 10-week course covers such topics as: law, leadership development, communication and forensic science. When asked about his appointment, Johnson replied, "It is an honor to have been nominated and selected by my peers in the Kentucky chapter of the FBI National Academy. I look forward to serving."

Federal Agent Receives Narcotics Officer Award



Special Agent
Frank Antos of the U.S. Forest Service was named

Outstanding Narcotics Officer of the Year in November during the first Kentucky Narcotic Officers Conference.

Antos has been assigned as a Lake Cumberland Area Drug Task Force member for the Appalachia High-Intensity Drug Trafficking Area for the past five years. He played a significant role in bringing down two major drug operations in 2004 and 2005, according to the state's Office of Drug Control Policy.

Last fall, Antos and other area task force members seized more than \$600,000 worth of property after a 13-month investigation into a domestic marijuana cultivation/distribution operation.

Federal indictments are pending on five members of the drug trafficking organization, according to ODCP.

In February, Antos discovered half a pound of methamphetamine in a suspect's vehicle. Further investigation revealed that the organization linked to the meth was capable of delivering eight pounds of the drug from Mexico to Las Vegas to Pulaski County every 10 days. The Drug Enforcement Agency, or DEA, has determined that this was the first documented case of pure liquid meth entering the United States, according to ODCP. There are numerous indictments pending in the case.

The two-day conference for narcotics officers was held in Lexington and sponsored by ODCP, the Kentucky State Police, Kentucky Narcotics' Officers Association and Regional Organized Crime Information Center.

Comings & Goings

NEW EMPLOYEES

Amicheli Salyer began work on 08/01/05 as a program coordinator in the Office of Communication.

TRANSFERS

Dennis Earls transferred from the Firearms Section to General Studies on 08/16/05.

Ande Godsey transferred from the Commissioner's Office to the Information Systems Branch on 10/16/05.

David Stone transferred from the Evaluation Section to the Facilities Section on 11/01/05.

PROMOTION

Susan Higgins was promoted to Administrative Section Supervisor in the Records Section on 08/16/05.

Larry Sennett was promoted to Law Enforcement Instructor II in the General Studies Section on 08/16/05.

Abbie Darst was promoted to Information Officer II in the Office of Communication on 09/16/05.

Joe Jumper was promoted to Law Enforcement Training Instructor II in the PT/DT Section on 09/16/05.

Tamara Thomas was reclassified from a Printing Operations Administrator to an Administrative Section Supervisor on 09/16/05.

Carrie Folsom was promoted to Law Enforcement Training Instructor II in the Firearms Section on 10/01/05.

Richard Schad was promoted to Law Enforcement Training Instructor II in the General Studies Section on 10/01/05.

Ken Morris was promoted to Law Enforcement Training Section Supervisor in the General Studies Section on 10/01/05.

Gina Smith was promoted to Law Enforcement Training Section Supervisor in the PT/DT Section on 10/16/05.

GOINGS

Pat West retired from her position as the Fiscal Manager in the Administrative Division on 07/31/05 after 31 years of service.

Jeff Burns retired from his position as Law Enforcement Training Section Supervisor in the PT/DT Section on 07/31/05 after 19 years of service.

Ron Dotson has resigned his position as Law Enforcement Instructor II in the PT/DT Section on 07/31/05.

Marshal Stiltner resigned his position as a Law Enforcement Instructor I in the PT/DT Section on 07/31/05.

Terry Mosser retired from his position as Law Enforcement Training Section Supervisor in the General Studies Section on 08/31/05 after 20 years of service.

Jennifer Rollins resigned her position as a Production Technician I in the Records Section on 08/31/05.

Mike Shaner resigned from his position as a Program Coordinator in the Facilities Section on 09/09/05.

Michael Collins resigned his position as Program Coordinator in the KCPP Section on 10/21/05.

Blue Knights Kentucky XI Raise Money for KLEMF

The third annual Blue Knights Kentucky XI Law Enforcement Memorial Ride on September 10 included 184 registered motorcycles and co-riders. The event, sponsored by Kentucky State Police Professional Association and Wal-Mart, began at the Kentucky Law Enforcement Memorial at DOCJT and traveled to the Kentucky Horse Park.

This year's memorial ride raised \$3,410, which was donated to the Kentucky Law Enforcement Memorial Foundation through the 2005 Kentucky Employee's Charitable Campaign. The Blue Knights Kentucky XI have donated a total of \$10,340 to the memorial foundation in the last three years. 🍄

*For information about the Blue Knights Kentucky XI call Joe Gilliland (859) 622-5073.
For information regarding the memorial foundation call Linda Renfro (859) 622-2221.*

/Photos by Amy Reister



KLEMF News

2006 KLEMF Scholarship Process

The Kentucky Law Enforcement Memorial Foundation will award twenty-five \$1,000 scholarships for the fall 2006 semester. The foundation has increased the amount to \$2,000 for family survivors of officers killed in the line of duty. Applications will be accepted March 1 through June 30, 2006. The scholarship criteria and application form are available on the Web site, www.klemf.org, or contact the foundation at (859) 622-2221.

Ceremonial Bugle

The Kentucky Law Enforcement Memorial Foundation purchased a ceremonial bugle to be used for memorial services and is available to Kentucky's law enforcement honor guards. The bugle was used at the May 2005 memorial service conducted by the foundation and the Department of Criminal Justice Training. A law enforcement agency has also used it for a funeral service. If your agency would like to use the bugle please contact the foundation at (859) 622-2221.

2006 KLEMF Memorial Ceremony

The 2006 memorial service will be held on May 18. There will be more information in the next issue.

Updates for KY COPS Events

Kentucky's Concerns for Police Survivors would like to keep you updated on events through mail or e-mail. To be added to the KY COPS mailing list, contact Brandi Mundo at b.mundo@insightbb.com or write to KY COPS, P.O. Box 20606, Louisville, KY 40250-0626.

Thacker appointed Benefits Coordinator

Jennifer Thacker was recently appointed benefits coordinator for KY COPS. Thacker will serve as a resource for the law enforcement community and survivors with comprehensive and up-to-date information on line-of-duty death benefits. Contact Jennifer Thacker at jenniferthacker_cops@msn.com or (502) 493-0726 – home phone, (502) 494-4246 – cell phone. ■



■ Mounted law enforcement officers from Kentucky and surrounding states participated in specialized "Mounted Search and Rescue Training" exercises in October at Kentucky Horse Park.

DOCJT Presents CDP Certificates

MORE THAN 80 LAW ENFORCEMENT OFFICERS AND TELECOMMUNICATORS EARN CAREER DEVELOPMENT CERTIFICATES /DOCJT Staff Report

Two certificates were awarded for the first time during the last quarter.



▲ Ricky Harris

Ricky Harris, of the Murray Police Department, and **Paul Nave**, of the Daviess County Sheriff's Office tied to be the first to earn the Telecommunication Director Certificate. This certificate requires a minimum of two years director experience with a bachelor's degree or a minimum of five years experience with no

college degree. It also requires completion of the course Managing a Telecommunication Center, plus an additional 40 elective hours of supervisory/management courses. To earn this certificate, an individual must also hold the Telecommunication Supervisor and Basic Telecommunicator certificates.

Harris has been with the Murray Police Department for 20 years, 15 as a supervisor. He has bachelor degrees in criminal justice and psychology from Murray State University. He has completed approximately 500 hours of telecommunications training from the Department of Criminal Justice Training. He is a graduate of Graduate Leadership Murray and of the Murray State University/U.S. Tobacco Agriculture Leadership Development Program. He is the secretary and charter member of Murray-Calloway County Crimestoppers Inc., Past Master of Temple Hill Masonic Lodge No. 276 F7AM and Chairman Calloway County Ethics Committee.



▲ Paul Nave

Nave began working part time for the Morehead State University Police while attending college. After graduating, he was hired at the Daviess County Sheriff's Office as a part-time dispatcher and worked his way into a full-time position. He has held several positions in the agency and was eventually promoted to Daviess

County 911 director. Nave has an associate's degree of science from Morehead State University, an associate's degree of arts from the University of Kentucky Com-

munity College and a bachelor's degree of science from Western Kentucky University.



▲ Sarah Frost

Sarah Frost, of the Lawrenceburg Police Department, earned the first Intermediate Telecommunicator Certificate. This certificate requires at least three years of experience as a telecommunicator and completion of 48 hours of core courses in customer service, team building, cultural awareness and advanced EMD.

The amount of education required is dependent upon the years of full-time experience. To earn this certificate, an individual must also hold a Basic Telecommunicator Certificate. Frost has been with the Lawrenceburg Police Department for three years. She attended Transylvania University for two years. She completed the Basic Telecommunications Academy in 2002. Since then she has had several professional development training courses at the Department of Criminal Justice Training. Frost is also a paramedic with the Anderson County EMS. She received her paramedic's license in 2004.

The Career Development Program is a voluntary program that awards specialty certificates based on an individual's education, training and experience as a peace officer or telecommunicator. There are a total of 14 professional certificates, nine for law enforcement and five for telecommunications. The variety of certificates allows a person to individualize his or her course of study, just as someone would if pursuing a specific degree in college.

The Kentucky Law Enforcement Council congratulates the following individuals for earning career development certificates.

ADVANCED DEPUTY SHERIFF

Clayton Spencer, Lee County Sheriff's Office

ADVANCED LAW ENFORCEMENT OFFICER

Tom Bustle, Danville Police Department

Patrick Flaherty, Florence Police Department

Jason Kegley, Cincinnati/Northern Kentucky Airport Police Department

Michael Kraft, Covington Police Department

William Maurer, Covington Police Department

Joseph Monroe, University of Kentucky Police Department
Patrick Swift, Covington Police Department

BASIC TELECOMMUNICATOR

Mary Abrams, McLean County 911
Sheri Allen, Shelby County 911
Natalie Alsup, Daviess County Sheriff's Office
Martha Alvarez, Bowling Green Police Department
Melissa Bailey, Bowling Green Police Department
Chris Ball, West Liberty Police Department
Judy Banks, Shelby County 911
Heather Bartell, Campbell County 911
Joshua Blair, Grayson County 911
Eric Brandenburg, Richmond Police Department
Tiffany Britt, Lincoln County 911
Linda Byrd, Paris Police Department
John Carey, Richmond Police Department
Gregory Chelf, Campbellsville 911
Sharon Clapp, Kentucky State Police
Sherry Cole, Kentucky State Police
Leora Combs, Lincoln County 911
Sarah Combs, Kentucky State Police
John Conley, West Liberty Police Department
Christy Cotton, Bowling Green Police Department
Ronnie Dobson, Lincoln County 911
Heather Fagan, Kentucky State Police

Marsha Farmer, Logan County 911
Cayla Flannery, Shelby County 911
Amy Frank, Shelby County 911
Sara Frost, Lawrenceburg Police Department
Stacy Halter, Bowling Green Police Department
Andrea Husk, Daviess County Sheriff's Office
Irene Irvin, Cynthiana/Harrison County 911
Samantha Jones, Bowling Green Police Department
Anthony Kent, Shelby County 911
Gina Lockhart, Richmond Police Department
Barbara Lucas, Berea Police Department
Tiffany Merten, Bowling Green Police Department
Melissa McInteer, Bowling Green Police Department
Delanna Moore, Muhlenburg County 911
Lori Ochocki, Bowling Green Police Department
James Paris, Grayson County 911
Megan Patrick, Kentucky State Police
Glenna Pratt, Kentucky State Police
Angela Prude, Bowling Green Police Department
Daniel Rendleman, Berea Police Department
Paul Rogers, Richmond Police Department
Casey Rothenburger, Shelby County 911
Debbie Shelton, Logan County 911
Adam Smith, Bowling Green Police Department
Kevin Straw, Campbell County 911
Jennifer Taylor, Daviess County Sheriff's Office
Sarah Van Dorsten, Berea

Police Department
Jennifer Whitehurst, Bowling Green Police Department
Lindsey Wilcox, Kentucky State Police
Holly Willingham, Bowling Green Police Department
Steve Wilson, Bowling Green Police Department

INTERMEDIATE LAW ENFORCEMENT OFFICER

John Coats, Simpson County Sheriff's Office
Patrick Flaherty, Florence Police Department
Timothy Fortner, Murray Police Department
Jason Kegley, Cincinnati/Northern Kentucky Airport Police Department
William Maurer, Covington Police Department
Joseph Monroe, University of Kentucky Police Department
Holly Riley, Mayfield Police Department
Albert Spitzer, Simpson County Sheriff's Office
Patrick Swift, Covington Police Department
Maurice Todd, Henderson Police Department

INTERMEDIATE TELECOMMUNICATOR

Sarah Frost, Lawrenceburg Police Department

LAW ENFORCEMENT CHIEF EXECUTIVE

Jeffery Peek, Danville Police Department

LAW ENFORCEMENT EXECUTIVE

Thomas Dusing, Florence Police Department

LAW ENFORCEMENT MANAGER

William Cloyd, Florence Police Department

LAW ENFORCEMENT OFFICER INVESTIGATOR

Farrell Barnes, Montgomery County Sheriff's Office
Hugh Fuller, Paris Police Department
Anthony Gray, Danville Police Department
David Howe, Murray Police Department
David James, Morehead State University Police
Robert McPherson, University of Kentucky Police Department
Patrick Reis, Taylor Mill Police Department

LAW ENFORCEMENT SUPERVISOR

Bryan Carter, Covington Police Department
David Finan, Covington Police Department
Jason Kegley, Cincinnati/Northern Kentucky Airport Police Department
William Maurer, Covington Police Department

LAW ENFORCEMENT TRAFFIC OFFICER

David Finan, Covington Police Department

TELECOMMUNICATOR DIRECTOR

Ricky Harris, Murray Police Department
Paul Nave, Daviess County Sheriff's Office

TELECOMMUNICATION SUPERVISOR

Andrea Fitzgerald, Northern Kentucky University Police Department



LEAGUE OF CITIE



A League of Their Own

The Kentucky League of Cities Makes a Difference in the Lives of Kentucky Law Enforcement Officers /Story and photos by **Abbie Darst**, Public Information Officer

A warm August breeze swept through the dark streets of Warsaw as Officer Brent Caldwell prepared to call it a night and return home. His shift nearly complete, he was finishing his last cruise when he spotted a lone, seemingly abandoned vehicle in the county park. It hadn't been parked there earlier, he thought, so he quietly drifted closer to investigate. His shoes crunched lightly on the gravel as he examined the car with the harsh glare of his flashlight. It was then he caught sight of a dark figure crumpled on the nearby bench. Unholstering his weapon,

he cautiously approached the bench, unsure if the stranger was sleeping or even breathing. Officer Caldwell called out, quickly identifying himself, as the figure stirred. As Caldwell called out again, the stranger suddenly leaped up and shots rang out through the dark, thick night air. Caldwell felt a piercing sensation and fell to the ground both out of instinct and pain, but not before pulling the trigger of his gun. In a fusion of adrenaline and practiced skill, his shots were accurate and the stranger crumpled to the ground.

For Officer Brent Caldwell of the Warsaw Police Department, this is more than just a bizarre tale, it is a nightmare that became his reality. In August 2002, Caldwell was shot while on duty. Though the bullet was on target to pierce his liver and almost certainly take his life, Caldwell is alive today because of a ballistic vest he was wearing that night — a vest he'd worn for only one week.

The Warsaw Police Department had re-

cently received a grant from the Kentucky League of Cities toward the cost of bullet-proof vests for the agency's officers. Caldwell was wearing a vest purchased with the KLC grant money when the shooting occurred.

"I had my own vest prior to receiving the one through the grant," Caldwell said. "But it was much lighter weight. I don't know if my other vest would have withstood the impact."

Offering grants for ballistic vests is just

one of numerous services that the Kentucky League of Cities provides to Kentucky's communities and to law enforcement agencies across the Commonwealth.

"No matter if you live on Main Street or on a mountain, more than likely a city is central to your life," said Sylvia Lovely, KLC executive director and CEO. "Our schools, entertainment, places of worship and businesses are all mostly in the city, and critical services — fire, police, EMS — are all city based."

>>

>> A voluntary association formed in 1927, the Kentucky League of Cities represents the interests of Kentucky cities and provides services to municipal officials. Headquartered in Lexington, the KLC is one of the largest associations in the state. With more than 80 employees focusing on areas such as advocacy, downtown revitalization, public safety, financial services, insurance programs, and economic development, the KLC provides the primary voice for cities in the Commonwealth.

“One of the most fundamental things that happens in a community is the basic desire for security, and so we obviously have a lot to do with public safety,” Lovely said.

The KLC’s relationship with Kentucky’s law enforcement community has been one of partnership and mutual benefit for more than a decade. The relationship is “a kind of Catch 22, only in a very positive light,” Lovely said.

For instance, in 1987 the KLC answered the cry of Kentucky mayors who were searching for a dependable way to obtain liability insurance for their cities.

“We offer insurance across the board for everything a city does, and that’s an understatement,” said Paul Deines, deputy administrator for insurance and loss control, part of the KLC Insurance Services division. In

addition to liability, KLC’s insurance services cover property, workers’ compensation, hazardous duty and unemployment.

However, the liability program soon experienced problems specifically related to law enforcement.

“One of our biggest areas of liability is law enforcement as you can imagine,” Lovely ex-

plained, “because it’s where worlds collide, so things happen.”

we were having were with people who were ill trained or were poor hiring selections to begin with. The way we got in that box: The jobs were not paying much, so they couldn’t attract qualified candidates. And as long as somebody would fill the job, they were not going to raise the salary. When we started paying claims, we decided right away something’s got to happen.”

“One of the most fundamental things that happen in a community is the basic desire for security.”

plained, “because it’s where worlds collide, so things happen.”

At the time, the only requirements for becoming a law enforcement officer in the state of Kentucky were a high school diploma or GED, valid driver’s license and no felony convictions.

“Pretty thin qualifications,” Deines noted. “In our experiences, typically the problems

Deines recalled one particular incident where an untrained officer was working part time and conducted a traffic stop. Due to the officer’s poor handling of the situation, he exposed both himself and the prisoner to traffic. Both were struck and injured.

“It was a huge loss to us, and it all boiled down to he had no business being there,” Deines said.

Partially due to rising insurance claims, in



1996 the KLC began strongly advocating formalized police training in Kentucky.

Unfortunately, the emphasis on training “went against the grain of many of our mayors,” Lovely said. “And the reason that it went against their grain — not that they didn’t want trained police officers — but these people have limited resources to pay for lots of services that people want and demand, including police services.”

But, “The Kentucky League of Cities Board of Directors said ‘It’s the right thing to do. We need to have people trained before they can carry a gun.’ And so it was, I thought, a rather brave policy for them to take on,” she added.

Due to limited funds many cities simply had auxiliary police forces that did not require training. However, as a result of KLC’s advocacy for police training across the Commonwealth, law enforcement training became mandatory for all full-time Kentucky officers.

Two years later, in 1998, KLC was also instrumental in advocating for the Peace Officer Professional Standards act. The POPS act is a list of 17 pre-employment qualifications that govern the hiring standards of all Kentucky law enforcement officers.

“Since the advent of POPS, my own view of what has happened is that we immediately got a better cut of candidates, in part because the others couldn’t meet the standards,” Deines said. “We had higher educated, more physically fit officers, which made a tremendous difference. We immediately saw the quality of law enforcement go up and concurrently the insurance claims started to go on down.”

More importantly than lowering insurance claims, better training and higher standards allowed officers to better protect their communities, keeping citizens safer.

“I know the cooperation between the Department of Criminal Justice Training, the Kentucky League of Cities and the Kentucky Law Enforcement Council has promoted and enhanced the quality of law enforcement in the city limits, which is really what we’re all about,” Deines said. “I know that we’ve affected the lives and improved the life of law enforcement who’ve also provided better services.”

However the reciprocal relationship doesn’t stop at insurance premiums and training officers. The KLC also provides safety grants through proceeds



from the insurance programs. Used for a wide variety of training, equipment and programs necessary to promote safety and excellence, these grants work on a 50-50 matching basis. The KLC grant will provide half of the funds an agency needs to obtain extra resources. One of the primary equipment items the grants provide are ballistic vests.

“A ballistic vest application is a first priority,” Deines said. “We always fund those.” Cases as immediate as Brent Caldwell’s in Warsaw may not happen everyday, but they are the main reason behind the prompt and unrestricted funding for ballistic vests.

Safety grants also help cover accreditation fees, outside training, police/community involvement projects and in-car video camera systems.

▲ Ballistic vests like the one shown above are just one of many items that the Kentucky League of Cities safety grants help provide for law enforcement agencies across the Commonwealth. A vest purchased with KLC grant money saved the life of Ofc. Brent Caldwell of the Warsaw Police Department in 2002.



>> “We’re kind of unique in that we’ll fund a variety of equipment,” said Deines.

Currently KLC’s safety grants have placed more than 300 in-car video units.

“Most departments really appreciate this because it strengthens the role if a police officer gets the argument from the person of ‘I really didn’t do this’ or ‘the police officer beat the tar out of me for no reason.’ We find what really went on when we look at [the tape],” Deines said. “We think it strengthens law enforcement and at the same time helps reduce liability across the board.”

brings home the reality the training puts you in.”

The FATS has also been taken to mayor conventions and demonstrated to prosecuting attorneys.

“We support law enforcement by giving the decision makers a chance to see what a peace officer really goes through,” Deines said.

“The greatest asset of the League of Cities is the capability to have qualified staff in any field of expertise and provide any necessary information to help overcome whatever your subject matter might be,” Mayor Caldwell said. “The bottom line is this is the age of information technology. I think informa-

“They’re hungry for people to come see them and to help them because each community has a slightly different footprint and a different need.”

“The safety grant program is the most important service that the Kentucky League of cities provides,” Williamstown Mayor Glen Caldwell said.

Williamstown has received grants for ballistic vests and is currently equipping its public works people with safety lighting for their vehicles. Mayor Caldwell knows first hand the benefits of ballistic vests. Warsaw’s Brent Caldwell is Mayor Caldwell’s son. The Warsaw incident pushed Williamstown to enforce a policy that all officers wear ballistic vests while on duty.

KLC also offers the Firearms Training System to law enforcement agencies around the state. The FATS units are located in a trailer that travels to a lead agency in a region with a good firearms instructor. Surrounding agencies are invited to train on the system. The system teaches judgmental issues: how to decide when to use force, how much force to use, and how an officer can escalate using the wide variety of weapons available to him. The system also allows the trainer to vary the outcome of any scenario.

“It’s a great judgmental training device and it also improves communication,” Deines said. “It also

tion is the key word there. They are great at providing information.”

Part of the KLC’s ability to provide information and services in so many different areas and aspects are the partnerships they have formed over the years. Their partnership with the Regional Community Policing Institute is just one of several that demonstrates KLC’s continued commitment to Kentucky law enforcement and communities.

According to their mission statement, RCPI’s purpose is to encourage and enhance the implementation of community policing in Kentucky in order to create safer communities through training and technical assistance. RCPI’s training is centered on the development and delivery of quality law enforcement training for police agencies and citizens throughout the state.

In the late 90s RCPI partnered with the KLC to create a 60-cities program promoting community law enforcement linkages for cooperation, involvement and better services. The program familiarized local officials and residents of smaller towns about community policing and helped identify specific problems, said Dr. Gary Corder, RCPI project

director. The League of Cities helped RCPI identify towns, make contacts and arrange meeting sites within the communities.

"KLC is well-connected in all the small towns that we serve, making them a very crucial partner in Kentucky," Cordner said.

More recently, RCPI and KLC have collaborated with the Kentucky Association of Chiefs of Police to develop a model policies project. The goal creates realistic model policies that reflect important issues and affect the average law enforcement agency in Kentucky.

"The aim is to hit key areas that are tailored to small agencies," Cordner said. "Often small departments lack the administrative staff necessary to create policies that can positively affect the way the department serves the community."

This is where the model policies are most useful. Providing the base policy with the appropriate language already created allows agencies to move toward fulfilling the requirements for accreditation without spending numerous man-hours just trying to write procedures.

"We are very interested in the policy program," Mayor Caldwell said. "We have started pursuing the option of accreditation, and our chief has started taking the necessary steps – albeit small steps. In the next few years we want to have an accredited agency."

In another example, KLC partnered with the Department of Criminal Justice Training and other organizations to implement the Kentucky Community Preparedness Program. This program focuses on the prevention of hostile acts and crime in small- and medium-sized communities through a system of risk assessments and recommendations for improved security.

"I really like the program that Commissioner Bizzack has launched on community preparedness," Lovely said. "We've been working very diligently with him on that because it is a very holistic approach. It's not just about terrorism, it's about a lot of different

things – just making things right."

Originally, 60 communities were selected to participate in the KCPP assessment process from January through December 2005. DOCJT's grant has since been extended to include 30 additional community assessments through June 2006. Working closely with local law enforcement and community leaders, KCPP assessment teams conduct a vulnerability assessment to identify a community's weaknesses. By looking at a community as a whole instead of just looking at individual components, local officials will be better able to allocate resources to the areas where they are most needed.

"These people are hungry," Lovely said. "They're hungry for people to come see them and to help them because each community has a slightly different footprint and a different need."

"Not only do we deal with 1,000 different issues every day, we deal with 370 different places across this state. They're as different as Louisville is from Beattyville, and so a program like this, that really takes an individual city and helps it grow, is great. They hunger for that."

Whether it's through lobbying and advocating on behalf of agencies, partnering with like-minded endeavors or providing resources and potentially saving lives through grants, the Kentucky League of Cities takes every opportunity to demonstrate its loyalty and support the Kentucky law enforcement community.

Meanwhile, law enforcement officers and officials often thank the KLC for those life-saving vests. Without that resource, some nightmares would have become reality.

"I do think about it, but I'm not going to dwell on it – I have to go on," Officer Caldwell reflected as he shrugged off his vest. "The league's programs are a good resource for law enforcement." Without those programs, he might not be alive today.

And his life attests to KLC's dedication and success. 🌟



/Photo submitted

KLC EXECUTIVE DIRECTOR. SYLVIA LOVELY

Morehead State University, Bachelor of Arts in English, 1973

University of Kentucky, School of Law, 1979

Joined the Kentucky League of Cities, 1988

Became CEO of KLC, 1990

Started NewCities Foundation, 2001

AWARDS/RECOGNITIONS

■ **Appalachian Woman of the Year, 2000**

■ **Top Woman of Influence, 2001**

■ **Communicator of the Year, 2004**

Supporting Steps Toward Accreditation

KLC OFFERS INCENTIVES FOR LAW ENFORCEMENT AGENCIES

SEEKING ACCREDITATION / Abbie Darst, Public Information Officer

The Kentucky League of Cities offers numerous incentives to law enforcement agencies seeking accreditation through either the Kentucky Association of Chiefs of Police or the Commission on Accreditation for Law Enforcement Agencies. Through law enforcement safety and liability grants, KLC will reimburse an agency for 50 percent of accreditation fees. KLC will also discount a city's liability insurance by 3 percent, 5 percent and 7 percent as an agency progresses through the accreditation process, ending with a 10 percent discount once accreditation has been officially obtained. These fiscal incentives, coupled with the new model policies project that KLC and the Regional Community Policing Institute began in October, provide law enforcement agencies concrete reasons to take the next step toward accreditation.

What can accreditation do for your city and department?

The KLC Insurance Services Board of Trustees recognized that departments that met state and national professional standards were better risks and opted to offer premium discounts and grants-in-aid to support and maintain accreditation. Loss patterns clearly support this far-reaching decision. Accreditation offers an agency a unique opportunity to enhance its operational effectiveness and efficiency. For many agencies, a self-evaluation and comprehensive assessment of their performance is an unprecedented event. Virtually every aspect of the agency's operation is assessed during the accreditation process. By satisfying the KACP or CALEA standards, a law enforcement agency will illustrate that it operates within an established set of professional standards.

The KACP and CALEA Professional Standards are designed to increase:

- Law enforcement agencies' capabilities to prevent and control crime;
- Agency effectiveness and efficiency in the delivery of law enforcement services;
- Cooperation and coordination with other law enforcement agencies and with other agencies in the Criminal Justice System;
- Citizen and employee confidence in the goals, objectives, policies and practices of the agency.

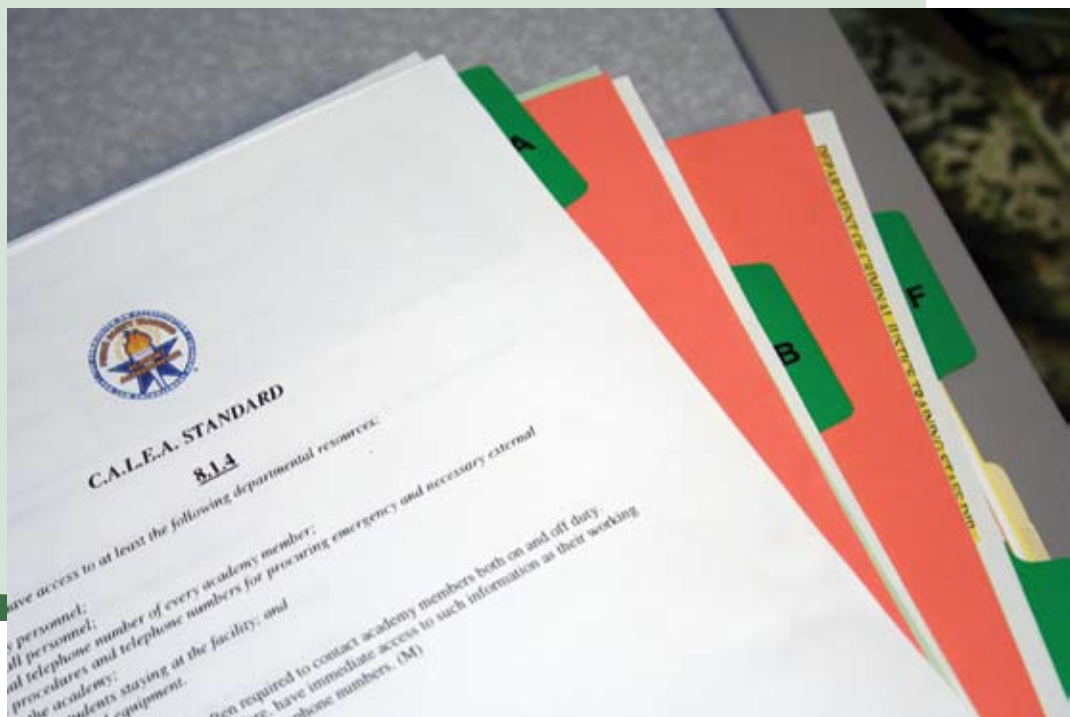
Although accreditation is not a panacea, it does offer several benefits:

- Establishes a credible benchmark for evaluating agency practices;
- Reduces agency's liability exposure;
- Improves citizen/police relationships;
- Increases employee input;
- Broadens the perspective of managers and officers;
- Recognizes an agency's competence;
- Improves property and evidence procedures;
- Gives guidance in correcting weak areas;
- Increases agency accountability;
- Enhances quality control.

Law enforcement executives who choose the accreditation process will have all aspects of their operations examined. They will have made conscious decisions about policies and procedures that fit the law enforcement requirements of their jurisdiction and will implement those policies and train their employees appropriately.

Accreditation does not insure that an accredited law enforcement agency provides better services than a non-accredited agency. It does, however, reflect that the accredited agency was carefully measured against an established set of standards and has met or exceeded acceptable practices in law enforcement.

For more information on grants available through KLC, contact Bill Hamilton or Patrick Dame at (800) 876-4552. For more information on the model policies project, contact Dr. Gary Corder (859) 622-2344, and for more information on liability insurance discounts contact Paul Deines at (800) 876-4552.



Sylvia Lovely

KLC Executive Director

Sylvia Lovely jokes about how she was born in city hall — but she's only half kidding. The small hospital in the Appalachian hills of Kentucky where she was born was, indeed, transformed years later into the city hall of Frenchburg, her hometown.

Few are better suited to have such a symbolic birthplace. Sylvia grew up fueled by a drive to improve her life and community. She has risen to become a nationally recognized champion of cities and realizes that it's the power of people that creates positive change.

Her passion for civic engagement began long before she graduated from law school. Now Lovely speaks across the country, encouraging citizens to take action to build the kind of world and future they seek.

As executive director of the Kentucky League of Cities, an association that represents the interests of Kentucky's cities, Lovely is committed to the well being and safety of cities and the people that call them home. That commitment is also shown in her work as president of the NewCities Foundation, a national non-profit organization that "encourages citizens to get involved in helping their communities thrive in the rapid technological change and global challenges of the 21st century."

Lovely also served as interim executive director of Kentucky's Office of Drug Con-

trol Policy in its beginning phases. Putting a temporary hold on her development of the New Cities Foundation, she was heavily involved in the 16 drug summits held across the state.

"Not only was it a major community issue — it was important for me to do if they wanted me to do it", Lovely said. "Frankly, incarceration isn't working just in and of itself. Treatment and education are the twin things that need to be done."

Sylvia Lovely believes in the power of people, no matter who they are or where they live. She inspires others with this simple but powerful message: Ideas that transform the world can begin locally with people who care.

Lovely is a regular contributor to newspapers and publications and a featured commentator on various TV and radio programs, offering community solutions. She appeared on the "Lou Dobbs Tonight" show on CNN, ABC Radio, CNBC's Power Lunch and in the Miami Herald, Indianapolis Star, Cincinnati Enquirer and the Louisville Courier Journal. Sylvia Lovely is also publisher of City magazine.

She was named one of Kentucky's Top Women of Influence, Appalachian Woman of the Year, Communicator of the Year and one of Kentucky's Power Elite. She was also a key-

note speaker in the Dominican Republic at an international conference of women leaders.

Sylvia and her husband Bernie live in Lexington. They have been married for 32 years and have two sons, Ross and David. A graduate of Morehead State University, where she is a member of the Board of Regents, she also graduated from the University of Kentucky College of Law and serves as an Adjunct Faculty Member of the UK Martin School of Public Policy and Administration.

Lovely's first book, *New Cities in America: The Little Blue Book of Big Ideas*, is published by Minerva Publishing and Butler Books. 📖





A LEADER AND HIS BATTALION

**'Black Hawk Down' Colonel Talks
Leadership at PECC** /Abbie Darst Public Information Officer

In 1993 an elite group of U.S. Army Rangers and Delta Force soldiers were sent to Somalia on a mission to capture a violent war lord whose corrupt regime had led to the starvation of hundreds of thousands of Somalians. When the mission took a quick turn for the worse, the men found themselves outnumbered and literally fighting for their lives.

It was Col. Danny McKnight's command during the Somalia mission and the days leading up to it that brought him into the national spotlight as one of the Army's best leaders and a hero. But for McKnight it is strictly about the dedication and sacrifice his Rangers gave unhesitatingly to the task set before them.

"I had the greatest soldiers in the world that I worked for," McKnight said. "That's what leadership is all about. As a leader you work for your subordinates."

McKnight spoke to more than 300 chiefs, sheriffs and other law enforcement executives

during the Department of Criminal Justice Training's 2005 Police Executive Command Course, which was held October 3 through 22. There were three one-week sessions.

McKnight served as the 3rd Ranger Battalion commander during the 1993 Somalia mission, which is better known today as Black Hawk Down since the emergence of the book in 1998 and the movie in 2001.

McKnight served in the U.S. Army for 28 years before he retired in January 2002. Since then McKnight has made it his own personal mission to ensure that every American knows and understands the price that soldiers pay for the everyday freedoms experienced in the United States, he said.

"Some people just don't get it," McKnight said at the PECC.

Staring into the faces of peace officers who sacrifice for their communities daily, many of whom also served in the armed forces, McKnight said that he knew that they got it

and that soldiers got it, but that some people don't understand what it means to be an American, to wake up every morning and be safe and free.

And that's why he tells his story, he said.

As McKnight reflected on what occurred on October 3 and 4, 1993, he stressed the steps that had prepared his soldiers for a combat situation.

"It takes a mindset of commitment," he said. "Commitment from individuals, but also a very special thing called leadership."

Leadership does not just encompass positions of power or authority like those of the president or military persons, McKnight said.

"It's about everyday people stepping forward when called on," he said. "Because anybody can lead on a good day, but good leaders are made on bad days."

On October 3, 1993, McKnight's battal-



ion and the other U.S. Special Operations forces went astray when one of their Blackhawk helicopters was shot down over Mogadishu, the capital of Somalia. Outnumbered 10 to one, the U.S. forces chose to stay in the middle of the combat situation throughout the night trying to retrieve the bodies of the pilots of the downed helicopter. After more than 36 hours, they escaped with 18 U.S. soldiers dead.

In the days leading up to the Somalia mission, there was a series of “stupid” decisions by higher ups, McKnight said. To start, the origi-

nal mission was called off shortly after the Ranger Battalion had been called up and packed their bags. Within 24 hours the mission was back on, but the on-again off-again order affected the morale of the soldiers, McKnight said.

Then there was the reduction of McKnight’s group from 550 soldiers to 450, he said.

Next, they were told that they would not be allowed to take an AC 130, a military aircraft with outstanding capabilities. Looking back, this was the biggest aggravation and the worst decision, McKnight said. The outcome of the mission could have been drastically changed if the gunship had been available to them, he said.

To top it all off, the press was somehow notified and Connie Chung announced on the evening news that a Ranger battalion was leaving for Somalia on a secret mission— obviously greatly compromising the mission at hand.

As McKnight recalled this series of poor decisions, he emphasized the attitude and leadership skills demanded of him in the face of these trying circumstances. He said this attitude of leadership began long before he or his the soldiers entered the air space above Mogadishu. It started on the first day of their training at Fort Benning, Georgia. It began with respect, the respect that the battalion had for Col. McKnight and the respect that he had for his subordinates, he said.

“You do what they do and do it with them and do it from day one,” McKnight said. “You have to lead by example. Leaders are made, not born.”

This level of respect is one point in a list of characteristics that make up true leadership: Loyalty, duty, respect, selfless service, honor, integrity and personal courage are true reflections of the Army’s abbreviation for leadership – LDRSHIP, he said.

McKnight defines the last of these – personal courage – as the ability to choose the “hard right” action instead of the “easy wrong.” Sticking to hard, right decisions displays one’s integrity, strengthens the loyalty of one’s subordinates and gain a leader the respect that can only be earned from his subordinates, McKnight said.

McKnight urged the law enforcement executives to serve their officers and sergeants through leading by example and always making the right choice, regardless of the situation or consequences. 🙌



◀ Shawn Nelson and Eddie Yurek on a fly-by mission in Somalia in 1993. Approximately 450 soldiers were part of the mission that went to Somalia and fought in the battle at Mogadishu on October 3 and 4, 1993.

/Photos by U.S. Army



◀ Independence Police Department's Lt. Col. Dave Nichols and Tom Brinker in front of the Czech Police Academy in Prague.

▼ Prague, in the Czech Republic, was the site of the International Police Executive Symposium held September 4 to 9.



/Photo by Prague Tourism Bureau

INDEPENDENCE Goes International

SSL Participant Presents Paper in Prague / **Abbie Darst**, Public Information Officer

Writing a paper for a graduate class doesn't usually give someone the credentials to participate in an international symposium, but for Lt. Col. David Nichols fulfilling his assignment in class secured him a spot on the International Police Executive Symposium in Prague, Czech Republic.

Independence Asst. Chief Nichols' enrollment in the Department of Criminal Justice Training's School of Strategic Leadership provided him the opportunity to attend the symposium. The SSL program provides graduate-level training designed to enhance the law enforcement executive's ability to develop as a community leader as well as a police leader. Classes are taught by Eastern Kentucky University professors.

Nichols' paper, written for his summer class under Professor Gary Cordner, profiled the Independence Police Department's Citizen's Police Academy and Alumni and their

commitment to the community. Conjunctly, Cordner was organizing a panel for the annual meeting of the IPES that focused on police and civil society or communities.

"Dave's paper fit perfectly with the topic that I was pulling this panel together to discuss," Gary Cordner said.

Thomas Brinker, the chair of Independence's CPA program, accompanied Nichols at the symposium to discuss the programs which the Independence Police Department currently conduct that rely on the academy alumni as volunteers.

Independence developed the Volunteers in Police Services program as a part of the department's ongoing commitment to community oriented policing. Formed under the USA Freedom Corps, it allows residents of the city to become more involved and assist the agency in several areas including outreach assistance, traffic and patrol assistance, administrative duties and annual report generation.

"There was a great deal of interest in

the program expressed by the participants," Nichols said. "Executives from across the globe face the same difficult issues as law enforcement executives in Kentucky."

An Uzbekistan panel member's presentation profiled a much different picture of community and police relations in his country in which law enforcement and citizens are very much at odds. The two juxtaposed presentations made for an interesting, well-rounded exchange, Cordner said.

Lt. Col. Nichols' commitment to excellence and as a leader in his community culminated in being asked to share his experiences with the Independence, Kentucky Citizen's Police Academy with the police executives from many countries," said Ken Morris, DOCJT supervisor and coordinator of the SSL program. "He is an excellent example and representative of the quality of law enforcement and community leader being developed through the leadership programs at the DOCJT."

North Carolina Trained — Kentucky Bound

Kentucky Police Corps Cadet Soon to Complete Training at North Carolina Academy / **Abbie Darst, Public Information Officer**



▲ During his training at the Police Corps Academy in North Carolina, Cadet Corey Doane has completed several different training scenarios and team building activities like those seen above.

/Photos submitted

With the outstanding training facilities available at the Department of Criminal Justice Training, it isn't often that Kentucky officers train out of state. However with the recent suspension of 25 Police Corps programs throughout the country due to federal budget cuts, Cadet Corey Doane has found himself doing just that – representing Kentucky at the North Carolina training academy.

Cadet Doane, who is sponsored by the Lexington Division of Police, spent 23 weeks at the Police Corp Academy in North Carolina – one of only two Police Corps programs still actively training cadets. Doane, who graduated in 2005 from the University of Kentucky with a Bachelor of Science in Business Finance, will soon be following in his father's footsteps. Michael Doane served the Lexington Division of Police for 29 years and is now with the Kentucky Department of Charitable Gaming.

"I've known I wanted to be a police officer since I was in high school," Corey Doane said. "I have been around this line of work for as long as I can remember. I understand that it is a challenging job, but also a very rewarding profession."

Police Corps is a federally funded program that provides up to \$15,000 in scholarship money in exchange for a four-year commitment to a local law enforcement agency.

The Kentucky Police Corps program recruited Doane during his freshman year at UK. Doane's contract with Police Corps is just one of nearly 75 remaining contracts that Kentucky must fulfill until the officers' four-year commitments are completed. Kentucky also has a commitment to train one more cadet through Police Corps.

"The PC Academy in North Carolina has been a great experience," Doane said. "I am learning a lot and have made friends who I mostly likely will keep in contact with for many years to come. Every instructor

as well as support staff has done everything they can to help the cadets from out of state. They have made us feel right at home here in North Carolina."

The curriculum at the North Carolina Police Corps Academy is extremely similar to that taught here in Kentucky. The academy's 24-week advanced curriculum includes the same training and meets the Kentucky Law Enforcement Council requirements for Kentucky officer training, said Billy Fryer, executive director of the defunct Kentucky Police Corps program.

Doane will graduate from the Police Corps academy December 16. When he returns to Kentucky, he will be required to complete an additional 88 hours of state-specific training on subjects such as the penal code and basic officer skills before he begins duty in Lexington.

"I have lived in Lexington all my life. I think it is a great city where I want to continue living," Doane said. "Lexington has been a good city to me and my family, so working there will give me a chance to hopefully make it even better. The department is well respected around the state as well as the nation, and I look forward to joining the team."

Doane's training at the North Carolina Police Corps Academy is not the only involvement Kentucky has with the academy. Several Kentucky Police Corps instructors have made frequent visits to North Carolina to assist in training the cadet class and offer experience and expertise to both the cadets and academy training staff.

"We have been an integral part of their training," Kentucky Police Corps Executive Director John Lile said. Kentucky staff has assisted with peer evaluations, firearms and numerous other areas. Lile also serves on the Police Corps Advisory Board.

"We volunteered quickly," Lile said. "We all recognize the importance of this program and want to do all we can to see it succeed." 🍌



EFFORT!

Kentucky Law Enforcement Aides Katrina Victims

/Jacinta Feldman Manning, Public Information Officer



/Photo courtesy The Lexington Herald-Leader

Sitting in his front yard, the tattered remnants of what was once his home in the background, hurricane survivor Gary Tatum talked quietly with a group of Kentucky officers.

The Vietnam veteran said he and his family had never left their Gulfport, Mississippi, home when Hurricane Katrina pummeled the coast; the storm's savage destruction left them with nothing. They slept in sleeping bags on the front porch and stored what food they had in coolers on the lawn.

The officers, moved by his plight, immediately wanted to help. They connected Tatum with a Red Cross official who could get him a meager amount of money to help buy the necessities that his family needed.

"He said, 'I never dreamed that help would come in the form of officers from Kentucky,'" said Kentucky Vehicle Enforcement Maj. David Herald.

"That was without question the best moment that we had down there because we really got in close and got to touch

these people and see the hurt that they had," Herald said. "It's something to stand there and see the destruction of the property and the buildings, but to see the hurt and the heart, that's what touched you."

Herald was one of more than 250 Kentucky law enforcement and corrections officers who braved the sweltering heat, unbearable stench and ever present dangers to assist in the recovery efforts following one of America's most devastating natural disasters ever: Hurricane Katrina. Far from their Bluegrass jurisdictions, the officers helped with everything from pulling stranded citizens from their flooded homes to enforcing curfews and curbing would-be looters to filling out paper work for the Red Cross.

"I am proud that so many Kentucky law enforcement and corrections officers volunteered their time and talents, and put their own personal lives on hold, to help families in need in Louisiana and Mississippi," said Lt. Governor Steve Pence, who is also the secretary of the Justice and Public Safety Cabinet.

>>



/Photo courtesy The Lexington Herald-Leader



>>

Hurricane Katrina ripped through the Central Gulf Coast on August 29, destroying everything in its path. It left cities without electricity, people without homes and in some places, communities seemingly without laws. Over the course of the following month, officers from across the nation – including officers from Kentucky Vehicle Enforcement, Kentucky State Police, Kentucky Fish and Wildlife, Kentucky Alcoholic Beverage Control and Kentucky Department of Corrections – descended on Louisiana and Mississippi to protect the communities and bring back some sense of normalcy to its citizens.

Less than a week after the hurricane hit, the first round of Kentucky officers arrived.

On the boats that they use to patrol the Commonwealth waterways, Kentucky Fish and Wildlife officers trolled the rivers that were once the streets of New Orleans to look for people who were trapped in their homes.

“Most of it was like a drowned ghost town,” said Capt. Clark Boggs, who led a four-day rescue mission for Kentucky Fish and Wildlife. “We would drive down the street and look for any sign of life.”

At the end of the trip, the officers had helped pull several people out of their flooded homes, although they didn’t know exactly how many because no one counted.

“I don’t know if I would have assigned someone to count them anyhow,” Capt. Boggs said. “That would have taken one person out of the field and numbers weren’t what we were after anyhow, we were there to help.”

Boggs said he could not express the amazing job his officers did.

“I don’t know how to put it in words. Excellent. Superhuman almost. They did

things that we’re not trained to do, no one’s trained to do,” Boggs said. “All the rules are gone, there are just people out there who need some help and you got to go out and help them.”

Everyone in Louisiana agreed.

“They represented their state very well,” Louisiana Department of Wildlife and Fisheries Lt. Col. Keith LaCaze said of the Kentucky officers. “They’re well trained professionals and we’d be proud to work with them again.”

/Photos submitted by ABC, DOC, KSP and KVE agencies





■ Two officers delivering water/
Kentucky Department of Fish and Wildlife Resources officers Homer Pigman (left) and Captain Frank Floyd deliver water and food to 71-year-old Jo Ann Hamilton.

Officer in boat with rifle/
Kentucky Department of Fish and Wildlife Resources Capt. Frank Floyd persuaded 72-year-old Irving Banister to evacuate.

Boat under way with evacuees/
Kentucky Department of Fish and Wildlife Resources officers Rich Waite (rear left), Lt. Larry Estes (rear right) and ATF SWAT team member David Hall rescued three New Orleans residents by boat.

Officer sitting in ruin/
KVE officer Paul Doublin is sitting at what used to be a Waffle House.

Two officers talking with resident/
KVE officers (left) Sgt. David Caldwell and (right) Major David Herald talk with local resident, Gary Tatum.

Officer helping with boxed supplies/
KVE officers Major Phillip Frazier helps with relief efforts.

Officers walking by bus station/
Cpt. Mary Hargis-Kentucky Correctional Institution for Women and Correctional Officer William Mahuron walk by a New Orleans Greyhound bus station.

KSP officers delivering ice and water/
(Left to right) Det. Randy Hunter, Trooper Larry Woods and Trooper Ryan Judd.

Volunteers helping local residents/
ABC volunteers assist during Hurricane Katrina relief efforts in New Orleans.



Kentucky Creating Program to Respond to Major Disasters

/Herb Bowling, Deputy Commissioner Department of Criminal Justice Training

The disastrous events of Hurricane Katrina made it abundantly clear that local, state and federal governments must be better prepared for catastrophes of such unprecedented magnitude. It vividly displayed the urgent need to be prepared for natural disasters as well as deliberate acts of devastation by terrorists and other criminals. In Kentucky, we have taken those lessons to heart and are preparing a statewide Ready List to help first responders in any part of the state in the event of a disaster. Formally, the project is known as the Kentucky Law Enforcement Response Program.

In order for Kentucky to better prepare for a major disaster, we must develop a cohesive plan, a clear communications process and specific guidelines that remain flexible while providing a standardized response.

Unfortunately, on the Gulf Coast literally thousands of police officers who volunteered their services along with numerous officers who responded independently had no specific assignments or coordination to incorporate them effectively into ongoing efforts to protect citizens and save lives. While these heroic law enforcement officers – including many from Kentucky – provided invaluable services, the lack of centralized coordination left many underutilized.

The Federal Emergency Management Agency (FEMA) and Kentucky's Division of Emergency Management each planned to serve as clearinghouses for the assignments of professionals summoned from other states. This procedure quickly disintegrated as the immensity of the catastrophe overwhelmed first responders. The result was major confusion, primarily due to the lack of coordination.

In Kentucky, the Department of Criminal Justice Training has assumed the lead role in ensuring a major catastrophe will be met with a coordinated, effective response. For instance, several

state law enforcement agencies, including the Kentucky State Police, Kentucky Vehicle Enforcement, Kentucky Department of Fish and Wildlife Resources and others have the capability of responding on short notice to disasters. However, they are obviously limited in resources and personnel and could not effectively handle a situation approaching the magnitude of the disaster in Louisiana and Mississippi.

In order for Kentucky to be prepared, we will develop a coordinated method to incorporate our local police departments and sheriffs' offices to provide immediate response where needed. As a first step, DOCJT will compile a database of available resources from local police departments and sheriffs' offices. Kentucky's Ready List will include the number of personnel, cruisers and equipment available (command post, crime scene vehicle, specialty vehicles, etc.). The list will be updated twice annually in January and July.

Ready List data will be maintained by DOCJT and provided to the Kentucky Office of Homeland Security and the Kentucky Division of Emergency Management for use only in the event of a major emergency. To acquire these services, the local county judge, mayor, police chief or sheriff will request assistance from KOHS or Emergency Management, specifying the number of officers and specialized equipment needed. The request should also state additional resources needed and when, where and who the officers should report to upon responding to the area. This process will ensure a smooth transition to the disaster area and eliminate confusion.

Kentucky's Ready List database could also be used for responding to requests for assistance from a regional or national level. The process is straightforward: The emergency management agency from the requesting state will make a formal request to the emergency management agency in Kentucky for a specific number of personnel and equipment to be deployed to that area.

The Department of Criminal Justice Training will provide assistance in developing and implementing this program and coordinating the efforts between the affected area and the responding agencies.

If you have questions or would like to volunteer your agency to become part of this program please contact the Department of Criminal Justice Training at (859) 622-8547.

A handwritten signature in black ink that reads "Herb Bowling".



Photo by Joe Wallace

KSA Works to Update Fee Structure

/Sheriff Steven W. Sparrow, Out-going President Kentucky Sheriffs' Association



Sheriff Steve Sparrow from the Oldham County Sheriff's Office is the outgoing president of the KSA. The incoming president is Sheriff Bruce Hampton from the Harrison County Sheriff's Office.

Kentucky's sheriffs face many challenges every day. The public looks to us for protection through our law enforcement responsibilities, while others look to us for tax collection purposes, transportation of prisoners, court security and a whole host of other duties. Every sheriff in Kentucky feels a sense of duty to answer the call to step up and provide these services to our communities and to do so without hesitation. Even so, many sheriffs must continue to provide these services with minimal staffing.

While we have come a long way in modernizing the ways in which the sheriff's office provides service to the public, we must continue to work towards bringing in more fees to keep the office running as efficiently as possible. This will allow for better pay for our deputies and staffs, and increase the retention of dedicated individuals. It will also allow them to provide for their families and futures. An increase in fees will also allow for the purchase of up-to-date technology and other equipment.

The Kentucky Sheriffs' Association is currently

developing legislative proposals that will update the fee structure that supports sheriffs. Hopefully, every sheriff in Kentucky will work towards accomplishing the passage of this very important legislation. Legislators will listen to their sheriffs when they are contacted. We have been very successful when sheriffs band together, and it is important that we do so on this issue.

I also want to acknowledge how much sheriffs and I appreciate the support of the many friends we have at DOCJT, and the state officials who work with KSA and each of us in our own offices. Their assistance has been and is very important.

I want to remind everyone that this is a great opportunity to network with fellow sheriffs, deputies and state officials and vendors. Please take advantage of this opportunity and make plans to attend. The Kenton County Sheriff's Office and the other sheriffs in the northern Kentucky area have been working to come up with many enjoyable events for conference attendees to enjoy after the training classes conclude. 🍷





SECURITY CONSCIOUS

/Jacinta Feldman Manning, Public Information Officer

Alecia Webb-Edgington was recently appointed by Governor Ernie Fletcher as the executive director for the Kentucky Office of Homeland Security. Webb-Edgington had served as the interim director of the office since June.

"Throughout her distinguished 20-year career in law enforcement, Alecia has been a talented public servant with an outstanding record of achievement and a deep commitment to the cause of justice," Governor Fletcher said. "I am confident that her extensive background and experience make her an excellent fit for director of Homeland Security."

Prior to serving as interim director, Webb-Edgington was the office's deputy director for KOHS's Operations and Prevention Initiatives. In this role, she led the establishment of an information and intelligence fusion center for the Commonwealth.

Previously, Webb-Edgington served as the chief information officer of the Kentucky State Police and was responsible for homeland security efforts. While serving as the highest ranking female in the KSP force, she was elected by her colleagues in November 2004 to serve as president of Kentucky Women's Law Enforcement Network. She holds a Bachelor of Arts in Sociology and Criminology from Western Kentucky University and obtained her master's in Criminal Justice from Eastern Kentucky University.

Webb-Edgington lives in Kenton County with her husband, Ted, and daughter, Jill.

"I am a bit melancholy about having to leave the state police, but much less melancholy because I am going to an agency that is a transition," she said. "I am not a responding law enforcement officer any more, but through this office I will be able to assist all those folks that I had the opportunity to work with for all those years. This office can help them get the equipment and the training they need. That's what we're here to do."

>>

>> How has your career in law enforcement prepared you for your new role as Kentucky's director of homeland security?

I started my law enforcement career with the Edmonson County Sheriff's Department, which gave me a local perspective. Then I transitioned to the Kentucky State Police, which gave me an opportunity to work with state, local and federal law enforcement officers and first responders in general. Homeland security is policing in that it is a prevention-focused initiative. Obviously, if we have an event we need to be prepared to handle it and respond and recover from it, but our strategic plan for this office is to prevent any man-made disasters with an all-crimes approach.

What do you want to accomplish in your new position?

I want to see both voice and data interoperability completed. Both are huge things to look at. We're starting our SAFECOM program, which is an assessment across the state of all the different venues that are currently being utilized in voice solutions. We've got a 150 system, 450 systems and 800 megahertz systems, and then there are some people who are talking to each other on walkie-talkies. We were one of the two states chosen to receive an assessment at no cost that will give

us a blueprint for the future of our integrated voice solutions. I want to see the voice solutions completed so if we have an event or just our everyday work that we do, that we will be able to have all first responders talking to each other.

I've been involved with the data solutions since the day that we started this, and we're about to see that come to fruition. We're currently finishing the rollout in northern Kentucky and the rollout for western Kentucky is scheduled for May 2006. We'll be where we need to be for law enforcement officers to give us mobile data and car-to-car messaging.

The other thing that's critical to me besides the voice and data solutions is the Intelligence Fusion Center that we're creating. We'll be able to look at data and see that information coming in at real time from our data network. To be able to look at all that information and analyze it, we'll be able to get out a situation report across the state, which we've never been able to do.

When will the Intelligence Fusion Center be completed?

We're going to stand up the Intel Fusion Center December 1, but I don't think it'll ever be completed, nor do I want it to be. I want people to constantly develop it. I want the person

who fills my shoes later to have a vision that there may be information or intelligence they can retrieve that will help somebody solve a crime. The Intel Fusion Center is not just about terrorist activities; it's about all crimes, an all-crimes approach because if we take all crimes then we get the key to the kingdom if there's a terrorist issue.

What issues do you think Kentucky needs to focus on to protect itself against an attack?

I think all citizens in Kentucky must remain vigilant. I think we've got to be cognizant that we have major thoroughfares running through our state, I-75, I-64, I-65, a conduit from the north and the south. We have three major airports — Louisville, Lexington and northern Kentucky. We have the propensity, obviously, to be a safe haven for terrorists, and we must be cognizant that we are that. We must not get lackadaisical and think that just because we are living in Kentucky that we can not harbor terrorists, or that terrorists cannot come here to learn to fly or learn some criminal activity. So critical to our strategy is for all citizens of Kentucky to remain vigilant and to know to contact their local law enforcement, county sheriff or state police, who will then forward that information to us.

KOHS has hosted several terrorism exercises across Kentucky. What is the importance of preparing through practice?

If you practice something, you will learn from your practice and in the event of an emergency you'll know exactly what to do. As we exercise we see our gaps. We have partnered with the University of Kentucky to evaluate our gaps, then we re-exercise that to take care of any issues that we have, and then they evaluate it again. And if again, we're not where we need to be, then we'll exercise it again. But when you have a serious event it is not the time to be learning and trying to figure out what to do; you need to know then. Sports teams don't go on the field and decide they're going to run a new play that day. That's exactly the way we're going to look at it, our team is not going to go out to an event and do something totally new that was not practiced.

In August, Kentucky became the first state in the nation to complete the National Incident Management System Capability As-





essment Support Tool. How will completing this program be beneficial to the state?

The National Incident Management System allows for a hierarchal leadership in the event of an incident. As we became the first state to complete the NIMCAST assessment, it told us where we were across the state with all first responders, local, county officials, their familiarity with NIMS and what our gaps were. It also showed us who needed to be trained and what training was needed. That will give us a better blueprint. In one year, we are going to train all law enforcement officers in this, so I would suspect that Kentucky would be at the top of the nation to be able to pull something off of that magnitude. We have a very strong partnership with the Department of Criminal Justice Training. We certainly could not have done that without the Department of Criminal Justice Training. I feel very passionate about that.

In 2006, all law enforcement officers will receive homeland security training through the DOCJT. What do you see as law enforcement's role in the fight against terrorism, and how do you think this training will help prepare the officers?

In addition to the NIMS training, law enforcement will receive prevention-mode training. They will be trained on the Kentucky Open Portal Solution, which is software that will be loaded on mobile-data computers if their agencies have them. If agencies don't have mobile-data computers, that's going to be something that we'll look to fund in 2006. Mobile-data computers are a primary focus for us. The computers then hook to our data network, and

officers will have the ability in real time to submit electronic intelligence reports as well as all of their crime reports, incident reports and electronic citations. That information will synchronize on the hour, so if you were out working the road and wrote a citation, within the hour that citation will show on the servers here at the Intel Fusion Center. I think that KY OPS and mobile-data computers are going to change law enforcement as the utilization of voice radios did in the past. I think that's the impact that we're talking about here because we are going to be able to see the crime and analyze it on a daily basis. Before when you were dealing with paper products the best that you could ever expect was a 20- to 25-day turn around. You can't analyze crime on data that is 30, 45, 60 days old. By that time whatever the hot spot was is over.

The Kentucky Community Preparedness Program, the Department of Criminal Justice Training's homeland security initiative, has completed nearly all of its 60 scheduled assessments. How do you think the assessments are preparing Kentucky communities?

To me, that is one of the premier programs that KOHS has partnered with. Vulnerability assessments for small- and medium-sized communities are critical to what we do here. Although a terrorist might never hit Danville or Richmond, we may have a special response team call out to a facility in one of those cities. The vulnerability assessments give us information that we will keep in the Intel Fusion Center and gives us vital information for those response teams to be able to take action. Even

▲ When Kentucky became the first state to complete the National Incident Management System (NIMS) assessment, KOHS gained a blueprint of who needed training in specific areas of expertise.

◀ One of the new director's strengths centers on her career in law enforcement and experience with first responders across the state. In 2006 all law enforcement officers will have received specialized homeland security training.

For the Kentucky Community Preparedness Program's most recent assessed communities

see page 80



>> as they are responding to the scene, we'll be able to brief those folks on things such as the number of entrances and exits, the type of HVAC that they have, the number of folks that are inside a facility at one time, the type of security that they have and the utility companies that service that particular area. If we had an event at a school, we've already got all the critical information that we would need to brief the officers going to that particular scene.

Our national strategic plan is focused on national infrastructure protection programs, which involves government building, water, sewer systems, modes of transportation and all infrastructures. That's critical to what's been done by the KCPP. Kentucky

“We are not a responding entity, we are an administrative function that funds sources for response.”

was out in front on that. Vulnerability assessments have been done in large urban areas, but for us to be looking at all of our cities across the Commonwealth, that's huge.

The teams that are going out are vanilla, if you will, in that they're going into these communities and assessing because they don't live there. They are identifying things that if we lived there we would pass every day and think, “Well, that's not that big of a deal.” Those are things that I think make that program unique.

In the past there has been a lot of emphasis on responding to attacks. What can Kentucky do to work on prevention?

I go back to what I said before about citizens being vigilant. We are getting ready to kick off our Citizen's Awareness Campaign. That will be a partnership across Kentucky with the area development districts. We will go into communities and explain exactly what everybody needs to do in the event of a natural or man-made disaster. We have pamphlets that we're distributing; we're going to have some public service announcements and videos that tell folks what they need to do if there were an event. While we're out discussing those kinds of things, we want to stress to people to call if they see something strange and out of the ordinary. Our best information is from folks who are living in a community who are seeing things that are strange or out of the

ordinary. There's no call that is too small. I think that everybody needs to understand that. Even if we get the call and we look into it and it's nothing, that's OK. I don't want us to miss a component because someone thought it was not that big of a deal.

We are looking at creating a Web service in 2006 for citizens to send information to us. Currently folks send information to us over our Web site, but we want to make the Web service so that we can have more of a citizen's intelligence report. That will be one of our things to look for in 2006.

Right now we want to get law enforcement thinking totally in that mode, and then we'll take our next step. Once we get the law enforcement officers up and running with mobile-data computers, we also want to outfit the firefighters and the ambulance personnel because oftentimes they get a call that police officers are never at, and in doing so they see things that are strange or out of the ordinary. We need those folks to give us that information also. It's multiple components; it's communities working together, families working together and first responders working together.

Are there any other issues you would like to address in your new position?

There is one thing that is critical that folks understand about the Kentucky Office of Homeland Security: We are not a responding entity. We are an administrative function that funds sources for response. If you think about the Office of Homeland Security, you need to think about us, Emergency Management and the National Guard as a somewhat three-legged stool. If there is an event, natural rather than man-made, Emergency Management and the National Guard are the responding components. The Emergency Management group has 14 regional emergency managers that go out and assess and then they report back to the Emergency Operations Center, and they advise General Storm, and then General Storm makes the decision as to the level of disaster. What we here at KOHS do is make certain that they exercise and train and if they have an event that they are equipped to handle everything that they need. We want to prevent any kind of issue. As I said earlier we can't prevent a natural disaster, but we have to be able to handle it if comes. So our folks need to practice what they preach, they need to have their equipment and they need to be able to hit the ground running. 🏃

Challenges of the 21st Century Badge

HOMELAND SECURITY ISSUES AFFECT LAW ENFORCEMENT ACROSS THE STREET AND AROUND THE WORLD /Abbie Darst, Public Information Officer

"We are now part of a global brotherhood and sisterhood," said Chief Alberto Melis of the Waco Police Department in Texas. "Our borders are blurring, our time zones are blurring and our mission is changing so we need to change our approach."

Melis was one of several law enforcement executives discussing community-oriented policing in the face of terrorism at the "Police Challenges in the 21st Century" symposium held in Somerset October 10 and 11. The event was organized by the International Justice & Safety Institute, part of the College of Justice & Safety at ECU, in partnership with the National Institute of Justice, Office of Science & Technology through the Rural Law Enforcement Technology Center in Hazard.

In an ever-shrinking world, where technology makes nearly every community readily accessible, law enforcement agencies across the globe are confronted with the need for heightened awareness of their borders, their communities, who is entering and how to keep their citizens safe. The symposium's two panel discussions on counter-terrorism challenges and community oriented policing in the face of terrorism focused on how today's threats change the way law enforcement interacts with communities.

Paul Stephenson, deputy commissioner of the London Metropolitan Police Department in England, discussed the two July terror attacks on London's transit system that left 56 people dead. He talked about the shift that has taken place in the way that the Metropolitan officers police the city and its communities.

"Our primary purpose has to be to prevent the attacks beforehand, stopping terrorism at its source," Stephenson said.

Despite having nearly 48,000 staff members and a budget of more than \$31 million dollars, the London police had to call in help after the July 7 attack. This was the first time the department had ever required assistance, Stephenson said.

"We're all used to living in dynamic circumstances," he said. "It's the nature of our jobs. But this was very different and we knew we needed to do more."

To get a handle on the threat of terrorism, London Metro and many other law enforcement agencies around the world are turning to their communities for help, understanding that community policing is the first step in crime prevention.

London Metro is putting together teams to police the 624 political wards in the city. Teams each consisting of six officers and two con-

stables, will be better able to connect with and gain information and insight from all the communities they serve. Police will pay more attention to the female and Muslim residents, segments of the population that have been largely overlooked in the past, Stephenson said.

In order to tackle radicalization in the Muslim faith, we need to form a dialogue with Muslim communities, Stephenson explained.

Melis agrees. "Some people view Muslims as the problem. We need to view them as the solution because ultimately we won't be able to do it without them," he said.

Wilmore Police Chief Steve Boven said such relationships are vital for law enforcement throughout the world.

"It makes no difference what language is spoken or the color of the skin people have in a society," he said. "Every country's police agencies try to provide a line of order and protection that enables its citizens to live a life free of lawlessness, disorder, chaos and anarchy. Although technology is very important to combat crime and terrorism, the main asset in the equation remains the human factor." ■



Chief Gil Kerlikowske of the Seattle Police Department in Washington has also enacted a plan to reach out to the Muslim and Arab population through an Arab-Muslim advisory committee.

"Any bright spot achieved from 9/11 is being able to establish this relationship and understanding among these communities," Kerlikowske said.

▲ (Left to right) Kay Scarborough, ECU professor; Eckhard Niebergall, president of Polizeitrainer in Deutschland; David Sylvester, deputy chief scientist at the National Forensic Science Technology Center; and Sam Blackstone of Blackstone, Inc. sit on a panel discussing future issues and trends in law enforcement during the international symposium held in Somerset October 10 and 11.



■ First responders from dozens of Kentucky agencies participated in a mock school hostage / shooting / bombing exercise in Somerset in October. "Real time practices in realistic situations will make Kentucky better prepared if the unimaginable should ever happen," said Todd McCoy, Preparedness Integration director for the Kentucky Office of Homeland Security.

DOCJT's 100% Solution

Homeland Security Curriculum Q & A: What to Expect /Patrick Miller, Homeland Security Course Coordinator

Are there any prerequisites to attend this course?

Yes, you must have completed the NIMS (IS 700) course prior to enrollment for this course

NOTE: On February 28, 2003, President Bush issued Homeland Security Presidential Directive-5. HSPD-5 directed the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS). As part of this implementation state and local level efforts to implement the NIMS should include completing the NIMS Awareness Course: "National Incident Management System (NIMS), an Introduction" IS 700. Compliance with this as well as other NIMS requirements were to be completed by October 2005.

Where can I get training on the required NIMS (IS 700) course?

The course can be taken on line and is free of charge at the following Web site (<http://training.fema.gov/emiweb/IS/is700.asp>). The course itself is broken into seven lessons and a summary of the course content. You do not have to take the entire course at one time. Also if you have had this same course in another format (i.e., classroom setting) you are not required to take the course again.

How do I show proof that I have completed this requirement?

You will need to keep a copy of your certificate from FEMA or equivalent proof of completion. This will be handled by DOCJT's registration section.

What content will be covered during this course?

The following is a list of topics that will be offered during this course.

- Introduction to the Homeland Security Organization
- Kentucky Homeland Security Concerns
- Incident Command System Overview (NOT the NIMS course)
- Homeland Security and Coordination: Legal Issues
- Information Sharing
- Cyber Terrorism
- Agricultural Threats
- Biological & Public Health Contaminants
- Equipment Issues
- Radiological & Hazardous Materials Risks
- Transportation System Vulnerabilities
- Explosives and Non Explosive Threats
- Community Threat Assessment
- Practical Exercises

Will other courses be offered by DOCJT in 2006?

Yes, there will be a very limited number of courses offered to meet the specialized training needs. However, everyone will be required to have the homeland security course or its equivalent regardless of whether they take another course.

How did the locations and number of times the course will be presented get established?

The locations are based on the Professional Development Branch current training regions. The number of courses corresponds to the percentage of officers requiring training within that region.

ing within that region.

Is it important to get scheduled into a training course early?

YES! To meet the requirements to train all officers these courses will have a maximum enrollment of 35 students. The training will only be offered in a location near you on certain dates. These dates are listed in the Department of Criminal Justice Training 2006 Schedule book. If you are not scheduled early there will be no guarantee that you will be able to get into a class later in the year.

Courses will be offered in the following places throughout the year	
Location	No. of times offered during year
Ashland	5
Bowling Green	10
Boone County	23
Elizabethtown	9
Hazard	5
Henderson	2
Hopkinsville	2
Louisville	26
Madisonville	4
Morehead	2
Murray	2
Owensboro	6
Paducah	6
Pikeville	2
Richmond	51
Somerset	8
Williamsburg	2

UNITE

Setting High Standards

/Dale Morton, UNITE Communications Coordinator

From inception, the law enforcement arm of Operation UNITE has focused on crafting professional drug investigations. UNITE is now one of the 56 agencies accredited by the Kentucky Association of Chiefs of Police and, by year's end, its 33 detectives will have jurisdictional authority in the 29 counties comprising the 5th Congressional District.

"When the enforcement component of UNITE was first envisioned, the goal was to create an elite task force dedicated to getting drug dealers off the streets of our communities," Congressman Harold "Hal" Rogers said. "UNITE has worked incredibly hard to make that goal a reality and, with the unprecedented coordination of federal, state and local law enforcement agencies, is making tremendous progress."

"The accreditation from KACP adds further legitimacy to UNITE's efforts and is indicative of the overall professionalism and effectiveness of the program and its officers," said Rogers, who created Operation UNITE to empower citizen groups and community leaders in their fight against a rapidly growing

drug epidemic.

UNITE officers work in conjunction with city, county and state police agencies to provide counterdrug initiatives in southern and eastern Kentucky.

Law Enforcement Director Dan Smoot said seeking accreditation was important to "professionalize police work" and let communities know UNITE is serious about battling drug abuse.

"Accreditation reflects that an agency was carefully measured against an established set of standards and has met or exceeded professionally accepted practices in law enforcement," said Michael W. Bischoff, accreditation manager.

"Accredited departments benefit from the use of consistent and proven procedures, clearly outlined policies and efficient practices," he said.

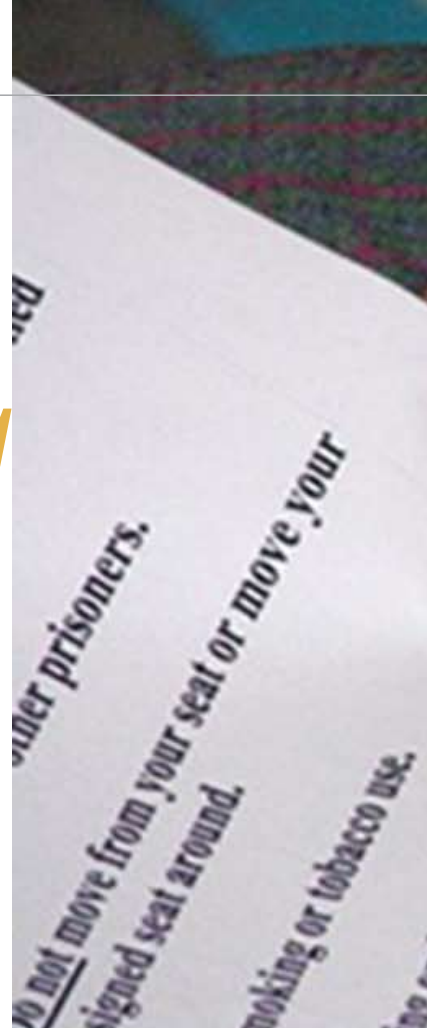
Operation UNITE is the second law enforcement drug task force in Kentucky (Northern Kentucky Drug Strike Force is the other) to have attained accredited status, which involves an assessment of 157 standards and procedures.

"Our focus from day one has been to provide the prosecutors and the court system with the highest quality investigations possible," Smoot said. "Too often the courthouses were full of unprosecutable drug cases because departments didn't have the time or manpower to spend developing cases. You primarily had confidential-witness buys, and the videotape quality, if it even existed, was poor. Many times the informants would run off or die. That would force prosecutors to either amend charges or provide weak plea agreements."

"It would shock me if we don't have at least 75 percent of our cases from hand-to-hand officer buys. The ones that we can't get a hand-to-hand buy on we make every effort to follow up with a search warrant," Smoot said. "This takes a lot longer, but the results are better. Our conviction rate and the length of sentences we are receiving are phenomenal."

Assistant Commonwealth's Attorney David L. Dalton agreed.

"UNITE officers make case preparation a priority, and it shows," said Dalton, who prosecutes UNITE and High Intensity Drug





/Photo submitted

Trafficking Area, or HIDTA, cases in the 28th Judicial Circuit. “When UNITE brings a case to grand jury, you don’t have to spend much time looking for needed discovery. It’s already there. With that much work put into the front end of the case, it frees the prosecutor up to practice the case, instead of chasing down information.”

Meanwhile, a new interlocal agreement broadening the investigative capabilities of UNITE detectives to all 29 counties they cover should be in place by November.

When created, Operation UNITE entered into three interlocal agreements creating multi-county task forces – Cumberland,

Kentucky River and Big Sandy – to provide a coordinated and professional regional drug enforcement initiative, to facilitate cooperation of state and local law enforcement agencies and to enhance narcotics investigations and prosecutions of drug traffickers.

But early and continuing successes in making undercover drug buys quickly brought to light a limitation: Officers within each task force could operate throughout their region, but could not cross into a different area.

“We were hamstrung by having three separate task forces. We’ve had to shut down an investigation several times to get a detective from another area when a suspect crossed over jurisdictional lines,” Smoot said. Another hurdle was that the detectives were quickly becoming known to dealers within each task force’s geographic region, he said.

“The less these guys are seen the better,” Smoot said. “Being able to move detectives throughout the entire 5th Congressional District extends the life of an undercover officer.”

UNITE officials spent much of the summer contacting participating sheriffs, police

chiefs, mayors and county judge-executives to explain the need for interlocal agreements across the district and to have their governing bodies pass resolutions approving the agreements. In all, 48 signatures were needed.

“They were all supportive of our request and went out of their way to sign it,” Smoot said. “An added benefit is that we have changed our round-up procedures to address local concerns, especially as it relates to jails and the court dockets.”

▲ A suspected drug dealer reads a list of rules after being picked up during an Operation UNITE roundup in Lee County on August 30.

◀ Operation UNITE is the second law enforcement drug task force to receive accreditation from the Kentucky Association of Chiefs of Police.



SUBSTANCE ABUSE TREATMENT PLAYS A VITAL PART IN ACCOUNTABILITY

/Van Ingram and Karen Hascal, Office of Drug Control Policy

At some time in their career, most law enforcement officers have endured the frustration of dealing with drug offenders who never seem to understand the seriousness of their situations, who cannot seem to stop their behavior no matter how many times they are arrested. Many become problematic not just to themselves but also to their entire communities. They propagate the fear of crime, wreak havoc in the lives of those closest to them and seem unfazed by the consequences.

All too often the criminal justice system has treated drug-addicted persons the same way time and time again, believing that the fear of incarceration will cause them to abandon their addiction. Although occasionally successful, often this approach creates a revolving door, a seemingly endless cycle. After all, insanity has often been described as doing things the same way and expecting different results.

Certainly, people who commit crimes should be held accountable for their actions. However, there is more than one way of holding a person accountable; in drug cases, substance abuse treatment can be a major part of that accountability.

Unfortunately there are many myths about substance abuse treatment.

Myth No. 1

TREATMENT DOESN'T WORK

Addiction is a chronic, relapsing illness with many symptoms that affect society. Some experts now believe substance abuse treatment is the cure for addiction and will erase

According to the 2002 Kentucky Treatment Outcome Study:

- More than 63.9 percent of people who go through treatment show abstinence from alcohol one year after treatment.
- Nearly 56 percent of clients report abstinence from illegal drugs 12 months after treatment.
- There is a 51.2 percent reduction in the number of arrests 12 months after treatment.
- There is an increase of 45.3 percent in full-time employment after treatment.

unwanted behaviors. Research has demonstrated treatment is vital in Kentucky. Those who are successful in their recovery rarely return to the criminal justice system. Similar to many other diseases, substance abuse requires a long-term behavioral treatment plan. For example, in the case of diabetes, patients must monitor their diet and exercise as part of their long-term treatment plan. In the case of substance abuse, patients must follow up with self-help meetings and ongoing support for their recovery. As with all chronic, relapsing diseases, if the treatment plan is not followed, relapse is inevitable.

Myth No. 2

FOR TREATMENT TO WORK, PEOPLE HAVE TO WANT TO GO

While it is helpful for someone to want to get treatment, studies have shown that coerced treatment or treatment in a correctional setting is equally as effective as voluntary treatment.

Myth No. 3

TREATMENT HAS TO BE IN-PATIENT TO WORK

Kentucky has demonstrated very successful outcomes for people who complete treatment. More than 80 percent of the people in treatment in Kentucky are seen in outpatient clinics. Substance abusers and their families can be seen once or more per week in an outpatient clinic and seek social support in their communities through community organizations, faith-based agencies, churches and/or self-help groups. For some people, residential treatment is the best alternative, but it is often costly and not readily available. Outpatient is a proven, viable alternative.

Myth No. 4

TREATMENT IS VERY EXPENSIVE

The average cost of treatment in Kentucky per episode is \$2,500 per person. This includes a brief detoxification stay followed by outpatient counseling for a year. Each region of Kentucky offers publicly funded substance abuse treatment. Some areas offer detox and short-term residential, but all provide outpatient treatment.

Myth No. 5

TREATMENT IS SOFT ON CRIME

While it is true that those who commit crimes deserve consequences as described by statute, punishment is not a long-term solution to the revolving-door problem. Arresting, convicting and incarcerating substance abusers alone does not appear to be effective. Kentucky's jails and prisons are bursting at the seams. In reality, substance abuse is not just a law enforcement issue, it is also a public health epidemic. Prevention and treatment share responsibility for addressing these problems. ■



◀ (Left to right) Lt. Eric Walker, commander of the Governor's Highway Safety Program, Kentucky State Police Commissioner Mark Miller, Lavoyed Hudgins, executive director, Office of Alcoholic Beverage Control, and Jim Acquisto, ABC director of enforcement, honor ABC's success in reducing underage drinking in Kentucky.

KENTUCKY CURBS UNDERAGE DRINKING

KSP Recognizes ABC, Other Partners for National Award
/ KSP Submitted

The Kentucky State Police Governor's Highway Safety Program recently received a national award for its efforts to reduce underage drinking for the Underage Drinking Enforcement Training Center.

The award was for GHSP's Enforcing Underage Drinking Laws program, which has helped reduce youth access to alcohol at establishments licensed to sell liquor to an all-time low of 17 percent.

Teens and alcohol have proven to be a serious and often deadly combination, said KSP Commissioner Mark L. Miller.

"Kentucky is working hard to reduce this problem," said Miller, who also serves as the Governor's Highway Safety representative. "Kentucky was one of only 16 states in the nation to receive recognition for its innovation and perseverance in reducing underage drinking."

Miller also recognized the state's Office of Alcoholic Beverage Control as a major partner in the underage drinking initiatives. "Because of our partnerships with ABC, local law enforcement and other agencies, Kentucky has observed its lowest non-compliance rate among alcohol-licensed establishments," Miller said.

Jim Acquisto, ABC's director of enforcement, said agency collaborations are the key to reducing underage drinking.

"We at the Enforcement Division of ABC are vigilant in monitoring under age accessibility to alcohol in Kentucky," said Acquisto. "By partnering with agencies like the Kentucky State Police, we will continue to impact underage drinking in Kentucky and make the Commonwealth a safer place."

The non-compliance rate decreased from 26 percent in 1998 to 17 percent in 2004. The rate averaged 17 percent from January through August of this year. 🍷

Underage Drinking Statistics

KENTUCKY

- The legal age for purchasing alcohol is 21 years of age.
- Underage drinking directly costs citizens approximately \$217 million per year in medical care and work loss.
- During 2004, there were 931 alcohol-related collisions involving a driver under the age of 21.
- From January through August 2005, there have been 581 alcohol-related collisions involving a driver under the age of 21.

NATIONAL

- Approximately 28 percent of the suicides of 9 to 15 year olds can be attributed directly to or are related to alcohol use.
- Alcohol is involved in a national average of 1,000 homicides per year.
- More than 70,000 students ages 18 to 24 are victims of alcohol-related sexual assault or date rape. ■



◀ Kentucky Vehicle Enforcement's recent crackdown on overweight coal trucks resulted in a 95 percent improvement in compliance.

KENTUCKY VEHICLE ENFORCEMENT REDUCES NUMBER OF OVERWEIGHT COAL TRUCKS

Truck Fatalities and Injuries Lower In Eastern Counties / Story and photos by **Bobby Clue**, Special Assistant, Kentucky Vehicle Enforcement

The state's crackdown on overweight coal trucks last year is paying big dividends, according to Kentucky Vehicle Enforcement Commissioner Greg Howard. More trucks are now carrying legal weights on Kentucky's roads, protecting the public's safety and the roadway surfaces.

"The number of overweight trucks has been drastically reduced in eastern Kentucky since KVE's enforcement crackdown began," said Howard. "In just one year, KVE officers have seen a 95 percent improvement in weight limit compliance."

"The Fletcher/Pence Administration set about to make Kentucky's roads safer ... and the numbers prove KVE's progress," he added.

"The role of the Justice Cabinet is not to write the laws, but to enforce them," said Lt. Governor Steve Pence. "Obviously there has been a dramatic increase in the number of coal trucks in compliance on our roads and there is no doubt when coal trucks are in compliance, lives are saved."

For instance, in April 2004, KVE officers weighed 340 trucks and issued 262 overweight citations; 77.1 percent of the trucks were overweight. One year later, a three-day enforcement effort turned up only 44 overweight trucks out of 1,167 weighed, just 3.8 percent in violation.

KVE also studied collisions involving commercial motor vehicles before and after the crackdown, comparing the period ending May 31, 2004, to the

same period ending May 31, 2005. The numbers showed a dramatic improvement in the number of fatalities and injuries in the eastern region of Kentucky: seventeen fewer deaths and 47 fewer injuries, Howard said.

Coal operators, truck drivers and others in the industry have cooperated with the effort to promote legal truck weights by installing scale equipment on loaders at mine sites and ensuring that trucks leaving the tipples are not overloaded.

One coal operator explained that most truckers would prefer to carry legal loads, but if they did, could not compete with those that were willing to break the law. Now they have adjusted, confident that action will be taken against those who try to take unfair advantage.

Although Kentucky's 1986 extended-weight law allows coal trucks to haul 46,000 pounds more than the federal weight limit of 80,000 pounds, officials acknowledge that until last year, trucks traveling U.S. 23 between the Virginia line and barge-loading facilities at Catlettsburg frequently were crammed with more than 200,000 pounds of coal.

"I like the lighter loads," said coal truck driver James Scott, of Louisa. "Even with higher fuel prices, we're trying to stay as legal as we can."

Public support has been invaluable in the fight to enforce weight laws. At public meetings in Hazard and Harlan, concerned citizens voiced strong support for increased enforcement. 🚛



TRI-STATE VEHICLE ENFORCEMENT BLITZ A SUCCESS

Vehicle enforcement and public safety officers from Kentucky, Ohio and West Virginia collaborated on a recent highway enforcement program targeting commercial vehicles committing safety violations that could endanger other drivers.

The Department of Kentucky Vehicle Enforcement, West Virginia Public Safety Commission and State Police, and the Ohio State Highway Patrol saturated the area of northeastern Kentucky, southeast Ohio and western West Virginia throughout the day on Thursday, September 29. Eighty-eight officers inspected 193 commercial vehicles, detecting 478 safety violations. Thirty-four vehicles and eight drivers were placed out-of-service for serious violations. An additional 247 traffic citations were issued as well as 98 warnings issued for violations.



Chief Joe Cline

Chief Cline joined the Morehead State University Police Department in 2001 as assistant chief and was named the chief in 2003. He previously served as patrolman and as detective with the Morehead Police Department. Cline started his career as a dispatcher/patrolman with the Olive Hill Police Department and was the Army Maintenance Management System clerk/dispatcher with the Kentucky Army National Guard.

He received The Morehead Optimist Club Police Officer of the Year Award in 1987 and 1999 and is a past president and chaplain of the Fraternal Order of Police Lodge #35. Cline is a Kentucky Law Enforcement Council certified police instructor.

In 2004, Chief Cline graduated from the Criminal Justice Executive Development Program and the FBI National Academy. He is a graduate of DOCJT's police academy and earned a Bachelor of Science degree in criminal justice from Columbia Southern University.

Cline is the associate pastor at the House of Prayer in Morehead. He lives in Rowan County with his wife Robyn and their two children, Jarad and Brittany.

"Appearance has a lot to do with professionalism, but I believe professionalism is an attitude and a behavior."

How do you define professionalism in the law enforcement field?

I remember the first time that I really noticed a law enforcement officer in my home town of Olive Hill. Officer Louie Sammons was sitting beside my dad and I in a restaurant and I thought how awesome and professional he appeared in his uniform. Appearance has a lot to do with professionalism, but I believe professionalism is an attitude and a behavior. The best way I can describe professionalism in law enforcement is the Golden Rule: "Do unto others as you would have them do unto you."

What are your department's principles and core values?

When I was appointed chief in January 2003, I called a department meeting and spoke about my principles and leadership philosophy. I said, "There are two things that I will not compromise or waiver on and that is being honest and doing what's right. This will be the foundation of our department." Sometimes doing the right thing is not popular and has repercussions. I remember seeing a banner one time that said, "There's no right way to do the wrong thing." I believe that statement.

As we sympathize with law enforcement departments in the disaster relief states, how would your agency handle those stressful circumstances?

I know I would be praying a lot more than I am now if we were dealing with a disaster of that magnitude. I don't know if you can say how you would handle those stressful circumstances unless you are put in that situation. My heart and prayers have gone out and still are going out to those involved in the relief efforts. Law enforcement officers are on the front lines doing the best they can under the circumstances. People react differently in stressful situations, but we hope that under stress that training and experience will kick in and we can continue to do our job as professional peace officers.

What are some of the challenges facing university policing today?

I believe the biggest challenge is recruiting and retaining good, qualified individuals. This is not only a university policing issue, but an issue that a lot of agencies in Kentucky are facing. Smaller departments cannot offer as much specialization and can't afford to offer the same salary package that larger departments can offer.

Another challenge facing university policing today is getting the respect that all other law enforcement officers receive. It's getting better, but a lot of the citizens in the community still look at a university law enforcement officer as security or someone less than a police professional. I would like to work with other law enforcement agencies in our area to establish a citizen's police academy for our community in the near future. This will help educate the community as to what university policing is and how closely related it is to policing in any other community.

DOCJT now offers career orientation for new law enforcement families. What do you think families in law enforcement need to know?

Families in law enforcement need to know that, unfortunately, they will be held to a higher standard than other citizens in the community. I know I used the word unfortunately, but that should not be a negative. We have to make it positive by setting an example for the rest of the community. Sometimes children of law enforcement officers don't understand why dad or mom is so strict, or why dad or mom can say who they can or can't hang out with or associate with, or why mom or dad aren't at home during supper, holidays and school events. I believe this is a tremendous opportunity to help families adapt to having a family member in an occupation that is time consuming and dangerous, but yet rewarding.

What is needed for community policing to succeed?

Community policing will succeed if citizens and law enforcement are working together to prevent crime. Citizens are the eyes and ears of their police department, and they have to have confidence in their police officers in order to call and report a crime, call for assistance or ask advice. There are many different definitions and philosophies of community policing. Citizens and law enforcement officers must make a connection and get to know each other. When a law enforcement officer can go into a community or neighborhood and call people by their first names, that's my definition of community policing. 🍷



Chief Billy Minton

Chief Minton attended basic training in 1983, class 151 and has 23 years of law enforcement experience. He began his career with the Horse Cave Police Department in January 1982, and served as assistant chief for the last two years. In 1995 he moved to the Cave City Police Department and worked his way through the ranks of sergeant and captain before being appointed chief in 2001. He and his wife Pat have been married for 10 years and they have five children and eight grandchildren.

“You need to have a good attitude and a good outlook on life.”

Cave City is on the Kentucky Community Preparedness Program list to be assessed. Why do you think homeland security preparedness is important for smaller communities?

As I travel throughout the state and talk with other chiefs I find that smaller communities are not prepared for a tragic event should one happen. Smaller communities seem to have the mind set that this can't happen to us. Times have certainly changed, and it is imperative that smaller communities have an assessment to examine what their weaknesses are and have them corrected.

How do you define professionalism in the law enforcement field?

One is appearance — you always need to look your best. Two is knowledge — you always need to keep up-to-date on your training. Three, you need to always conduct yourself in a professional manner. Four is attitude — you need to have a good attitude and a good outlook on life. It is easy to have a bad day, and if you're not careful, people you come in contact with will notice these small things. One of the things I strongly believe in is always treating a person the way you would want to be treated.

As we sympathize with law enforcement departments in the disaster relief states, how would your agency handle those stressful circumstances?

I would begin by combining our resources with our neighboring communities' law enforcement agencies, fire departments and medical services. By working with other agencies in our neighboring communities I feel that we could handle a disaster with minimal stress.

How did your department implement a neighborhood watch program and what is your next community project?

In 2002 we implemented a neighborhood watch program by having meetings with Housing Authority complex residents. This has been highly successful as residents prepared meals, and everyone — residents and law enforcement personnel — got to know one another on a personal level. When you get to know people on a personal level you establish a comfort zone, people begin to trust you and will share with you information you otherwise would not have obtained.

We are currently establishing a drug program for our elementary school. We have been working

with L.A.W. Publications, putting together a magazine with information about drugs and their effects. They are also providing coloring books for the younger children. I feel that educating our youth on the harmful effects of drug use and abuse is our best weapon in combating drugs. We will also encourage parents to participate and educate them. With law enforcement personnel and parents working together as a team, I believe we can have a tremendous effect on the war on drugs.

How has your department benefited from grants?

When I was appointed chief in 2001, my main goal was to modernize our department with new equipment and become an accredited police agency. I had many ideas and plans, and our mayor, Bob Hunt, supported every plan I had. We became accredited in March 2002. After that I began exploring grant programs and communicating with other agencies to seek out the many tools needed to be successful in law enforcement. With a Local Law Enforcement Block grant we purchased some equipment and a police vehicle. The last two years we have received a total of \$15,000 from the Department of Agriculture Rural Development Program. This money was used for the purchase of police vehicles, and we now have a take-home fleet. Two years ago we received a \$17,000 mini buster contraband detection kit used for drug interdiction through the Department of the Army. Just recently we were awarded a \$683 Justice Assistance Grant for purchasing new handguns, shotguns and computer systems. We now have a total of seven computer systems in our office, one for each officer. Just a brief summary of what we have been able to achieve due to various programs: Each vehicle has moving radar units, we have new weapons, computer systems, and our take-home fleet.

The various grant programs have allowed our police agency to become competitive in the law enforcement field and enabled us to better serve our community. Without some of the programs mentioned, the majority of our accomplishments would have been virtually impossible. I also feel that pursuing grant programs helps to reduce the burden on our community's tax payers. 🍷



Sheriff Ken Morris

First elected sheriff of Butler County in 1989, Kenneth L. Morris is now serving his fourth term. Morris graduated from the sheriff's academy in 1989 and from the FBI academy as firearm instructor in 1992. He has also successfully completed several classes in drug and child sex abuse investigation. In addition, Morris is a certified DARE instructor. The Sheriff of the Year award was presented to Morris in 1991 and he received the meritorious achievement award from Kentucky State Police in 1992. Morris has served as a board member of Kentucky Sheriffs' Association since 1991 and was president of the association in 2002. He was appointed to the Kentucky Law Enforcement Council (KLEC) board in 2002 and has served on various boards for the National Sheriffs' Association.

"Keeping training up-to-date better prepares a department to meet the ever increasing demands that are placed on today's law enforcement officers"

How do you define professionalism in the law enforcement field?

I feel that professionalism is having a well-trained department that adheres to the needs of the community while being firm and fair in treating everyone equally.

You are the first sheriff of Butler County to attend training. Why is training important to you and your department?

Keeping training up to date better prepares a department to meet the ever increasing demands that are placed on today's law enforcement officers. The citizens within our county's jurisdiction benefit from the most current law enforcement techniques available. Training is a must for law enforcement because the criminals we deal with every day are learning new tricks, techniques and technology. The criminals nowadays are highly intelligent and educated. It's important to talk with other sheriffs that deal with similar situations. They may have something to offer that you didn't think of or vice versa. Kentucky has come a long way in the past 20 years and we are head and shoulders above surrounding states. Set your goals higher than the 40 hours of training a year. Networking with other agencies and being active in your associations whether it is the Kentucky Sheriffs' Association, Kentucky Association of Chiefs of Police, Kentucky Peace Officers' Association or Kentucky State Police Professional Association is also good. Support the legislative work and the new laws on the agenda each year and carry them out in your hometown.

You are a small, rural sheriff's office with two deputies, but you serve more than 15,000 people. How are you able to offer quality service?

Serving a county with the population of more than 15,000 people with only two full-time deputies is a challenge. In order to provide quality service the officers must carry heavy work loads and put in long hours. Dedication is the key ingredient that enables our officers to serve the county successfully.

Who has influenced your career in law enforcement?

Many people have influenced my career in law enforcement but there is one individual that stands out in my mind, the late Wallace Dockery. Wallace served as a military police officer in World War II before bringing his family to Butler County to live in 1968. He then worked in Butler County as a sheriff's deputy and became sheriff in 1974. Wallace went on to become the judge executive of Butler County.

I worked with Wallace as a deputy during his term as sheriff. During this time I came to respect and admire the approach he took to the duties of sheriff. Wallace enjoyed helping people even when he was faced with situations that technically did not fit into his job description. He taught me lessons in dealing with people that I have found to be invaluable in my work as a law enforcement officer. The most helpful lesson I learned from Wallace is the ability to use common sense to defuse hostile situations.

What issues should be addressed for rural areas statewide?

I believe there are separate issues that should be addressed for small departments in rural areas statewide. The main concern I have is the lack of generated funds for rural departments to operate. Deficiency in general funds make it difficult to provide deputies with competitive salaries and benefits, such as hazardous duty retirement. Consequently, small departments are losing quality deputies to larger departments that are able to offer more incentives.

You have served on the KLEC and KSA as president. How were you able to voice and address concerns for small departments?

During my term serving on the KLEC and KSA as president in 2002, I was able to address my concerns for small departments by attending the legislative sessions. I also had the opportunity to address different committees in hope of resolving issues facing the smaller sheriffs' offices across the state of Kentucky. 🍷

New Chiefs of Police Across the Commonwealth

LARRY COOK – PERRYVILLE POLICE DEPARTMENT

Larry Cook was appointed chief of the Perryville Police Department on August 4. Cook began his law enforcement career with the Lebanon Police Department. After five years there he joined the Richmond Police Department where he retired in 1992.

VERNON "BUTCH" CURL JR. – WEST POINT POLICE DEPARTMENT

Vernon "Butch" Curl Jr. was appointed chief of the West Point Police Department August 25. He has been with the department since 1987 and was promoted to lieutenant in 1996. Curl's goal is to crack down on drugs in the city.

MIKE DALY – FORT THOMAS POLICE DEPARTMENT

Mike Daly was appointed chief of Fort Thomas Police Department on August 1. Daly joined the Fort Thomas Police Department in 1994 after working for the Newport Police Department for three years where he was a bike officer. He brought with him his bike patrol skills and implemented a program at the Fort Thomas Police Department. Daly says that the department has taken a dynamic direction in the last five years, and is in great shape. He will continue to seek ways to improve the quality of service to the city through partnerships within the community, community oriented policing, VIPs, technology, grants and implementing a citizens police academy.

RUSSELL NICHOLS – CALHOUN POLICE DEPARTMENT

Russell Nichols was appointed chief of the Calhoun Police Department on August 4. Nichols retired in 2003 from the Kentucky State Police. He is committed to bringing the Calhoun Police Department in-line with other agencies regarding crime reporting and working together with local agencies to achieve better intelligence.

CHRISTIAN REDMAN – HURSTBOURNE ACRES POLICE DEPARTMENT

Christian Redman became chief of the Hurstbourne Acres Police Department on September 25. Prior to this ap-

pointment, Redman served with the Shively Police Department, St. Matthews Police Department, Lincolnshire Police Department and also in aviation operations with Federal Homeland Security. The plans that he has for Hurstbourne Acres include modernizing the police department and moving into the new government center, which is in the planning process.

AUDREY SPIES – WOODBURN POLICE DEPARTMENT

Audrey Spies was appointed chief of the Woodburn Police Department on September 8. Spies began her law enforcement career in 1978 with the Tyler (Texas) Police Department. She served on the drug task force after joining the Western Kentucky University Police Department in 1987. Spies was the first female on the Critical Response Team while serving with the Bowling Green Police Department from 1995 to 2003 when she retired. She will continue community-based policing and strive to keep Woodburn a safe town.

JOHNNY VANCE – SMITHS GROVE POLICE DEPARTMENT

Johnny Vance became chief of the Smiths Grove Police Department on September 9. Vance began his career in law enforcement in 1999. After almost three years with the Glasgow Police Department, he began working drug interdiction for the city of Munfordville. There he was a K-9 handler and patrol supervisor for more than two years. He hopes to expand the department in the near future due to the ITA trans-park being developed there. During his six years in law enforcement he has been awarded medals for merit and valor for actions in the line of duty.

JOHN WILHOITE – VERSAILLES POLICE DEPARTMENT

John Wilhoite was appointed chief of the Versailles Police Department on September 18. He has been with the department for 19 years working patrol and then as sergeant. Wilhoite is looking forward to working with local agencies to make a safer community. 🍷



COLD CASES:

Solving Yesterday's
Puzzles Today

/Story and photos by Jamie Neal, Public Information Officer

For as long as Teresa Mitchell can remember, New Year's Eve had been her favorite holiday.

She saw each as the eve of a fresh start and for years had ushered them in with sleepover parties for her young nieces and nephews and their friends. They would play games, hold dance contests, eat pizza and count down to midnight with Dick Clark.

But things are different now.

"Every New Year's is the saddest night of my life," she said.

Minutes into the morning of New Year's Eve 1999, Mitchell's 24-year-old son, Dondale, was fatally shot after trying to end a confrontation between a friend and another man in the parking lot of a strip club on Winchester Road in Lexington, police said.

Detectives worked the shooting, but there was little physical evidence, and witnesses to the murder either couldn't identify the gunman or refused to cooperate during the initial investigation. Eventually, the case went cold.

Now, as the six-year anniversary of his death approaches, Mitchell's murder is getting another look.

>>

Detectives Larry Carroll (left) and Tim Hightower stand among files containing some of the Louisville Metro Police Department's hundreds of long-term unsolved cases. As the agency's cold-case squad, it is their job to look for the pieces needed to solve the puzzles of Louisville and Jefferson County homicides. Louisville has the only full-time unsolved-cases team in Kentucky.



>>

Using grant money it received earlier this year, the Lexington Division of Police is re-focusing on Mitchell's case as well as other homicides and major violent crimes that, for one reason or another, have gone unsolved for years.

"If we can spend some funds reviving it, bringing it back to life, then that's what we'll do," Lt. James Curless, head of the department's Personal Crimes Section, said of the unsolved cases.

Lexington is one of several law enforcement agencies in Kentucky that are giving special attention to heating up cold cases.

Bowling Green Police Department, the Kentucky State Police's Columbia Post and Louisville Metro Police Department – the only agency in the state with a full-time cold-case squad – also are putting resources toward finding the missing pieces to the puzzles that are their unsolved murders.

zles that are their unsolved murders.

"Somebody has lost their life. Somebody needs to be brought to justice," said Maj. Gary Rich, who, until recently, was a supervisor in Bowling Green's Criminal Investigations Unit.

With murder and some other violent crimes, the case isn't closed until there is an arrest or some other resolution, regardless of whether the crime was committed a year ago or 30 years ago.

A witness statement or old physical evidence that could offer information when examined with new technology or a detective who sees the case in a different light than those who came before him — these could be the pieces investigators need to fill the spaces and solve the cases.

But few law enforcement agencies in the Commonwealth have the manpower to con-

tinuously revisit cold cases as new ones come in.

In an effort to clear their cases and assist investigators who don't have time to work them, KSP's Columbia Post is using a review process that brings everyone involved in the case – from original investigator to the current detective – together to try to solve them.

At Bowling Green, police have taken the unique step of asking citizens for their input on some cases, while in Louisville, two detectives are dedicated to solving what others have found unsolvable.

In Lexington, police got word earlier this year that federal grant money was available through the state's Justice and Public Safety Cabinet to combat urban violence and requested it to revisit their cold cases.

The agency was awarded \$112,500 from the state and a \$37,500 grant match from the city for a total of \$150,000, which is available through June 2007.

Eric Gardner (left) and Teresa Mitchell laugh as they share stories about their son, Dondale Mitchell, who was fatally shot in 1999. Lexington police are using a cold-case grant to try to solve his case.



It plans to use \$107,000 to pay personnel overtime to look into unsolved cases and spend the remainder of funds on cold-case training for officers, travel expenses, evidence testing, fingerprint-comparison equipment and for a part-time prosecutor in the Fayette Commonwealth's Attorney's Office.

When the grant began in June, the department, which has approximately 50 unsolved homicides from the past 30 years, assigned investigators to work 10 specific homicides committed between 1997 and 2004.

A fresh set of eyes and a new perspective can turn an investigation around, so in most instances the cases have been given to investigators who didn't work them originally, Curless said.

"What we're trying to do is open that door to allow these cases to flourish," Curless said.

Solvability was a factor in selecting the first round of cases, but some of them were chosen because police thought there might be new information from witnesses or other evidence that could at least offer a lead, he said.

Since the grant began, police have obtained an arrest warrant in one case and made an arrest in another.

In June, an arrest warrant was issued for 26-year-old Kareem Edwards, the man police said killed Jermain Harris, 25. Edwards shot Harris as he sat at a traffic light at a major Lexington intersection on a Sunday afternoon in 2001, police said. A warrant was issued for Edwards rather than him being arrested because he was already incarcerated in a West Virginia prison on unrelated charges.

The warrant came after detectives in the case made a connection between a possible lead in the Harris case file and information provided by someone police had in custody on another matter, police said.

Ann Harris, Jermain's mother, said she was overwhelmed when she heard that someone was to be charged with killing her son years after the crime.

"I was blessed, and I was so happy, but I was crying too," she said. "I mean I just didn't know what to think. I knew it was coming though."

Harris said she hoped the police department's grant would produce the same results for other families.

"I'm glad that they got that money," she said. "I wish they can continue to get this money to solve more cases because there's other people out there – I know they would love to know about their loved ones."

In July, Lexington police were able to tell the family of Stephen Dotson, 40, that they had made an arrest in his case after investigating it through the cold-case grant.

Keita J. Hayden, 24, was charged in the April 2004 slaying of Dotson after someone with information talked, police said.

The detective in Dotson's case, Chris Schoonover, is the only investigator under the cold-case grant who was assigned cases that he worked originally.

Most homicides that detectives are unable to solve in Lexington are eventually placed in the unit's file cabinets until a lead comes in, but Schoonover won't turn his cases over to the cold-case files.

"I want to be the detective that runs on those leads," he said, adding that he does seek input from others on the cases when needed. "It's a pride issue basically. You don't want another detective to take over your case if you're still here and can work it."

"One day something will happen where someone will get in trouble, and George Hurst – somebody that knows about George Hurst – will come forward and say, 'I know who broke into his house and shot him.' Or, 'Hey, I was with the guy in the car the night Doris Roberts was killed.'"

The homicides of Hurst and Roberts are unsolved. Schoonover is working Roberts' case through the grant.

As Schoonover is hoping for in their cases, some cold crimes are solved when people simply spill what they know after years have passed.



Dondale Mitchell poses for a photo at Lexington's Jacobson Park in the summer of 1999. Mitchell, 24, was murdered later that year. Police have not made an arrest in his homicide.

Criminals confess. Witnesses decide to come forward after years of being afraid, or they suddenly recall helpful details. Relationships change. The killer's former girlfriend, husband or friends no longer care about protecting them. Sometimes criminal suspects and inmates tell police about crimes others have committed in an effort to get help with their own situations.

Some cases go unsolved because the victims led high-risk lifestyles involving prostitution and drugs, and potential witnesses in their circles don't want to talk to the police, said Sgt. Paul Williams, supervisor of Lexington's homicide unit.

>>





Sgt. Paul Williams, supervisor of the homicide unit at the Lexington Police Department, displays some of the department's unsolved-murder files. Cold cases dating back to the 1980s are housed in the homicide section so they can be pulled if leads become available.

their notes," he said.

Retired or transferred KSP troopers, sheriffs, prosecutors and others who played roles in the original investigations and the current detectives on the cases may have valuable information, so they are being asked to help, Speck said. The response has been positive.

"They're eager to come back in and review the cases they worked," he said.

Aside from breathing life into old cases, the post's process will take work off of investigators who don't have time to handle the cold cases, Speck said. KSP supervisors will help with the investigations.

Of the 11 counties covered by the Columbia post, there are seven unsolved murders in six counties. Each of the cases will be reviewed, starting with the most recent crime, he said.

"We're excited about this," Speck said. "We think maybe this will be a way to solve some of them."

"Hopefully we'll be able to give some closure to the families of these victims," he said.

Kevin Gilpin's is the first case on the list for the review process, which began in September.

Like so many family members and law enforcement officers involved with cold cases, Sue Warren, Gilpin's mother, said she is frustrated with waiting and hopes the post's plan is successful.

"My closure is going to be when they find the people who did this," she said. "There's got to be somebody out there that knows what happened."

Gilpin's case started as a missing-person report from Russell County in April 1997, when he was 18 years old. Six years later, his body was discovered at the bottom of a well in Casey County.

>>

In many cases, police believe they know who committed a murder, but don't have the evidence to take the next step, he said.

Also among the challenges of investigating cold cases is working from the notes and files of the original detective on the case.

The detective reads the file, "but a lot of times you don't get the flavor," Williams said. "You don't know that mom's a genuine person ... or stay away from the second brother because he's already been in the pen twice for trafficking and he hates police and he isn't

going to cooperate with you at all."

When Capt. Greg Speck became commander of the Kentucky State Police post in Columbia in September, he set out to tackle that problem when it came to working cold cases in the area.

Speck decided to bring together everyone currently or previously involved with the cases to review and develop strategies for solving them.

"I just think the best way to solve a case is to bring everybody to the same place with



In September, the Russell and Casey county sheriffs, as well as the original and current KSP investigators on the case and others gathered in a conference room at Lindsey Wilson College in Columbia to talk about Gilpin's case.

Prior to the meeting, they had each been given copies of the case file to review, Speck said.

The investigators shared a variety of information, including the original notes from the missing-person case, and learned that the Russell County Sheriff's Office was still receiving tips about the crime.

"Some of these things that don't seem important may become important when looked at as a whole," Speck said.

"We discussed the case and came up with a list of people to re-interview and some to interview for the first time, and a strategy on how to approach them," Speck said.

The team also pinpointed a prime suspect in the murder, he said.

"There are a couple of real good leads I'm interested in following up on," Speck said.

Following up on cold cases is all in a day's work for two detectives at the Louisville Metro Police Department.

Veteran homicide detectives Tim Hightower and Larry Carroll sit at desks piled with reports and surrounded by files and boxes containing pieces to the puzzles of unsolved homicides in Jefferson County.

The investigators are the department's cold-case squad, and it's their job to find the missing pieces, put them together and bring murderers to justice.

They pore over old reports, re-interview witnesses and meet with new ones, coordinate evidence testing with the state lab, speak with victims' family members and review cases with their original detectives.

"We're looking for what we can do that hasn't already been done," Carroll said.

Louisville has dedicated resources to cold murder cases for years and will continue to do so, Chief Robert White said.

"It's homicide, which is the most serious

of all crimes, so, number one, I think it's important that we do everything we can, plus some, to solve these crimes," he said. "Number two, we need to bring closure to the families, and part of that is identifying who committed this crime."

The detectives agree.

"Families deserve closure, whether or not emotionally they actually achieve closure even with a successful prosecution. They deserve justice as much as the victims," Carroll said. "That is our job."

There are plenty of unsolved murders to

in cases where years have gone by."

Other detectives at the department also work cold cases, but when they pass the year mark or want assistance, Carroll and Hightower get them.

The two have solved five cases since they became a team in 2003.

Most of the cold cases on the active list are those that Hightower was investigating for the city police and that Carroll was looking into for the county police prior to the 2003 merging of the two law enforcement agencies.



Lexington detective Chris Schoonover is reluctant to move his cases to the department's unsolved files when they grow cold. Schoonover, who has four unsolved cases, keeps the files at his desk so that if information comes in, he can be the investigator who pursues it.

keep the two-man team busy, with 31 cold cases on their working list and "hundreds, probably thousands if you go back further" beyond that, Hightower said.

"We're trying to solve all of them if we can," he said. "Sometimes you just don't run into the evidence to solve them. But it's never closed."

"Even though we may run into a dead end, it may be 10, 15 years and evidence may pop up," Hightower said. "We've had it done

But some, like that of Chester Durbin, have been added since then.

Durbin, 49, was a husband and father who was found shot to death in his parked taxi on East Jefferson Street on May 24, 1972.

In 2003, Hightower got a call from his daughter.

"She was a child at the time when her father died, and she wants to know what happened to her dad," Hightower said. "Who is the person who did this to her dad?"

>>





Hot Cold Cases

Some law enforcement agencies in Kentucky are dedicating resources to solving cold cases. These are some of their unsolved crimes.

LOUISVILLE

Michelle Seymour, 29, was found strangled to death in June 1992 in a vacant apartment on East Muhammad Ali Boulevard.

Gary Jones, 54, was fatally shot in October 1998 as he was walking home along the 400 block of North 29th Street.

Mary Zambounis, 37, was reported missing in 1999. In January 2002, her remains were found in a wooded area of rural, eastern Jefferson County. She died as a result of blunt-force trauma.

Angelia Hilbert, 22, has been missing from southeastern Jefferson County since 1989.

LEXINGTON

Doris Roberts, 48, was murdered by strangulation at her East 4th Street apartment in December 1999.

Raymondo Martinez, 27, was stabbed and beaten in his Cambridge Drive apartment in December 2002.

Leonard Polen, 33, died in August 1999 after being shot multiple times in his car at the intersection of Aspendale Drive and Fifth Street.

El-Hajj Ray, 23, was shot to death in April 1999 in his Northland Drive apartment.

KSP COLUMBIA POST

Hunters discovered a decomposing female body in Marion County in November 1990. The remains have not been identified.

Roger L. Catron, 30, was driving to work in Clinton County in October 1987 when someone shot him from the side of the road.

Lewis Emerson, 32, was shot in the head in March 2001 while he was walking along Rayburn Hill Road in Casey County.

James Holt, 47, was found murdered in his Adair County residence in March 1989. ■

"A homicide case is never closed until you get an arrest," he said. "Even though it occurred back in 1972, it's still an unsolved homicide, and we're going to look at it and see what can be done."

The detectives try to work two cases each until they can make an arrest, but when possible leads come up in others, they jump on it.

When they think that they can't take a case any further, they move on to the next.

Much of the investigators' time is spent reviewing the case files for possible clues, and they often bounce ideas off of each other.

"It's almost guaranteed that he will pick out things that I may have taken for granted or overlooked or looked at differently," Carroll said of his partner. "And we'll discuss some of these factors that kind of jump out at both of us, but we might have different perspectives on it."

Although reviewing each other's cases is time consuming, the time invested has proven to be worth it, Carroll said.

While the detectives want to solve all of their cases, they said that there are some that are especially personal to them.

Among those cases is that of 12-year-old Ann Gotlib, who has been missing from Louisville since 1983. She seemingly disappeared after riding her bike in front of what was then Bashford Manor Mall on Bardstown Road.

"As a father, I try to think all of the time, 'How horrible can it be that all of a sudden your child is gone and you never hear from them?' I mean how horrible that would be to deal with," Carroll said. "Sometimes it gets to you."

Carroll said he stays in contact with Gotlib's parents, who still live in the city.

In the department's storage room is an entire file cabinet devoted to the Gotlib case. Taped to the front of it is a piece of paper printed with the words "from the desk of ... Det. Larry Carroll." Under that, in large, red marker ink, are simply her initials - AG.

"We are currently, and I truly say currently, working on this case," Carroll said.

The fate of Pamela Armstrong also haunts the detectives. When the 22-year-old was shot to death in an alley in 1983, she left behind several small children, Carroll said.

There was a suspect in her case, but police didn't have probable cause for an arrest, Hightower said.

Nor did they have DNA testing available to them as they do now. The department recently sent evidence in Armstrong's case to the state lab for testing.

Advances in DNA and other forensic technology are tremendous assets in working old cases, but detectives shouldn't pin all of their plans for solving cold cases on physical-evidence tests, Carroll said.

To successfully solve a cold case or any case, investigators must employ a variety of skills, and communication is vital among them, he said.

"You have to have a quality that's similar to that of a car salesman," Carroll said. "I mean you have to have the gift of gab. You have to be able to talk to people because some people certainly are going to be reluctant to talk to you for various reasons, and then you need to be able to open that person up and get them to talk. I think good communication skills are extremely important. I think you have to be an excellent listener as well, and I think you have to be a very good observer."

Hightower said it's important to be open-minded and willing to go the extra step when trying to solve a cold case.

The Bowling Green Police Department subscribes to that thinking as well and uses a non-traditional method for trying to close its unsolved cases. It asks citizens to review some of them.

Since 2003, the department has asked some of its citizen's police academy graduates for their input on two of the city's cold cases and plans to continue using the approach.

"The concept is to get a new set of eyes and re-evaluate the case," Bowling Green's Maj. Gary Rich said.

The graduates, who have been hand picked for the process, are asked to review the case and determine whether there is some action



the police can take to possibly move closer to solving it.

They are looking for gaps – unasked and unanswered questions, as well as evidence that could be tested or other new information, Rich said.

Citizen input offers a perspective outside of law enforcement's, said Maj. Doug Hawkins, who helped start the program.

Deborah Wilkins, who was on the first cold-case review team and is married to a police officer, said that law enforcement officers sometimes gets tunnel vision with cases and that the process is "excellent" because it allows people with different backgrounds to offer a new focus.

Wilkins said she enjoyed the opportunity.

"I guess I've always been a frustrated detective," she said. "I like murder mysteries. I've always liked research, and that's basically what it is."

Wilkins worked the case of 29-year-old Kevin Ragland, who was shot in the back of the head while standing in front of his home on the evening of October 15, 1999, according to police.

Based on the group's review, detectives interviewed a new witness, re-interviewed some previous witnesses and re-examined phone records, Hawkins said.

After an eight-month period, the citizen team came to the same conclusion as detectives did in the initial investigation, pinpointing a particular suspect in the case, Wilkins said.

But the Ragland file and the other murder case the department had citizens consider – a 1980 murder and robbery – remain open because there isn't enough evidence to make an arrest, police said.

Initial investigations by detectives in the cases were thorough, Hawkins said.

"Sometimes leads just come to a standstill," he said.

Unlike television dramas about long-term unsolved cases, investigators don't open a box and find the evidence that every-



Ann Harris holds a framed photo of her son, Jermain, who was shot to death in 2001 while sitting in traffic at a major Lexington intersection. In what had been considered a cold case, police arrested a man for Harris' murder in June, four years after his death.

one overlooked the first time staring back at them, Hawkins said.

But they will continue looking for answers, Rich said.

"The cases never quit," he said. "They're always there. They're always waiting."

As another New Year's Eve approaches, Dondale Mitchell's mother is waiting as well.

For the second year, Teresa Mitchell is planning to spend what was once her favorite holiday in church.

She and Dondale's father are hoping that the people who know what happened to their son will come forward and police will be able to close his case.

"I know I can't do anything about death," she said. "Death is God's call. But I'm still alive, and I need closure." 🐾



Cold Case Training

Public Agency Training Council offers "Equivocal Death and Cold Case Homicide Investigation," a three-day seminar that includes a block of instruction on reopening and managing unsolved cases through a 12-step process. An instructor will bring the course to Kentucky or teach it at the PATC's Indianapolis facility. Visit www.patc.com, or call (800) 365-0119.

Regional Organized Crime Information Center sometimes covers cold-case topics at its annual homicide conference in October. Contact ROCIC's Bob Dargavell, (800) 238-7985, extension 569, about future conferences.

Taylor Group provides "Death Scene Analysis and Cold Case Analysis," a three-day course about conducting and managing a major-case investigation from initial response to follow-up, including cold cases. Students are encouraged to bring active homicide and sexual assault cold cases so that on the final day of class so they may apply what they

have learned to the cases. The class can be taught in Kentucky and at locations across the country. Visit www.taylorgroup.net, or call (800) 898-0436.

Forensic Training Services and Police Training Services has "Death Cold Case Techniques" and "Homicide, Death, Cold Case Investigation." "Death Cold Case Techniques" is a three-day seminar that focuses on cold cases, including "reprocessing old evidence, along with case tracking and management of cold-case witnesses and re-interviewing techniques to revive old memories," according to the organization's Web site. "Homicide, Death, Cold Case Investigation" is a four-day course that includes "techniques for solving cold cases with minimal evidence," the Web site said. Contact the agency through e-mail at its Web site: www.forensictraining.us.

George Mason University's Office of Professional Education has hosted a cold-case investigations seminar with Dr. Henry Lee annually for several years. Lee is a forensic scientist, among other things, who has

worked a number of high-profile cold cases. Check his Web site at www.drhenrylee.com for future appearances.

OTHER RESOURCES:

U.S. Department of Justice awarded \$14 million in grants earlier this year for solving cold cases and identifying human remains through DNA. To keep up with what grants are being offered, visit the Bureau of Justice Assistance Grantee Resource Center at www.ojp.usdoj.gov/BJA/resource/index.html.

Bureau of Justice Assistance has an article on its Web site that covers a variety of cold-case issues and includes contacts for discussing cold-case squads. The article, "Cold Case Squads: Leaving No Stone Unturned" was prepared by researchers at the Police Executive Research Forum. Read it at www.ncjrs.org/html/bja/coldcasesquads/index.html.

Cold Case Center at www.coldcase-center.com offers cold-case news from across the nation, references and other information. ■

Police Investigate 44-year-old Murder

When a 19-year-old Transylvania University co-ed was found strangled to death with her bra in her car in 1961, the brutal nature of the crime was the talk of Lexington.

Forty-four years later, the murder of Betty Gail Brown remains among the city's most infamous mysteries. It is also the oldest cold case the Lexington Division of Police is investigating.

Lt. James Curlless, head of the department's Personal Crimes Section, began looking into the Brown homicide about a year ago after receiving information about

a possible suspect in California.

When Detective Rob Wilson heard that Curlless was investigating the case, he became intrigued. He requested to take over after the lieutenant got busy with other tasks, he said.

Since DNA wasn't tested in cases in the 1960s, Wilson has first turned to science for clues.

He is working with a forensic scientist at the Kentucky State Police lab in Frankfort on plans to test some of Brown's items – including the shorts she was wearing when

she was murdered and some hair fibers – for DNA from her killer.

To get Brown's personal belongings, Wilson had to track them down through her family. The items had been stored in an attic in Florida, so the detective said he realizes that the evidence may be too degraded to help in the case.

"It's awful getting your hopes up on this stuff, but it would be really nice (to solve)," Wilson said, glancing at a file containing a newspaper clipping with a distant photo of Brown, dead in her car.

However, few connected to the

case are still alive; Brown's parents, one of the possible suspects in her homicide and the original detective in the case are dead, Wilson said.

"I've thought about this and talked about it – If we are able to solve it and everything, what good is it?" he said.

With few people with whom to share the victory and possibly no one to arrest, homicide detectives would probably meet at their favorite local bar to mark the occasion, as they always do after solving a case, Wilson said.

"It would just be us," he said. "We'd tip a glass, and that would be that." ■



Book Review

DNA: Forensic and Legal Applications

REVIEWED BY /Robert E. Stephens, Jr., Assistant Commonwealth's Attorney 34th Judicial Circuit

There is no subject as conceptually complex, operationally technical and professionally necessary to understand today as DNA. DNA (deoxyribonucleic acid) has radically changed the way the criminal justice system works. Its collection and analysis have led to convictions of previously unknown criminals and to the exoneration of the innocent accused. Almost every criminal law practitioner can testify to the impact of the DNA revolution, especially to the expectations of jurors and other laypersons on what the effects of forensic science should be in solving criminal cases, partly because of glamorization by the plethora of forensic investigation programs on television. It is incumbent, therefore, for prosecutors to understand the science of DNA analysis as thoroughly as possible, to counter attacks from the defense bar and to begin to meet or forestall the expectations of jurors.

A good beginning text for this purpose is "DNA: Forensic and Legal Applications." The authors, Lawrence Kobilinsky, Thomas F. Liotti and Jamel Oeser-Sweat, approach the subject starting from the most basic understanding of the scientific background of DNA analysis and expanding to the actual methodology used in the various testing processes. General principles of forensic science and data collection/crime scene investigation are also discussed cogently. Discussion is made of the strengths and weaknesses of each of the currently utilized DNA analyses, from RFLP, to PCR-STR to Mitochondrial DNA testing. Particularly helpful is the insight gained from viewing each process on a theoretical and conceptual basis, being able to understand what is being tested and compared in each testing method, rather than just reading a lab report that such-and-such method was used by a lab tech that provided such-and-such result. Indeed, knowing the strengths and

limitations of each method can prepare one to answer the question of why other methods were not used, as well as to better point out the valuable information gained by using one method rather than another.

Prosecutors in particular would be advised to pay close attention to the authors' emphasis on the importance in DNA analysis to statistical matters and population genetics. DNA evidence, for example, can show that the sample collected from the rape victim cannot be excluded as having come from the defendant/suspect, since to get a random match as tested would occur only once in billions or trillions of tests. The result is a match for the defendant/suspect and the expert can say it is her opinion that the sample obtained from the victim was left by the defendant/suspect. Thorough comprehension of the ideas which make DNA evidence so remarkably probative in court will prepare counsel to present the material in an understandable and persuasive way to the jury and prevent attacks by defense experts or problems on appeal. In addition, the sections dealing with mixed samples (containing multiple sources of DNA) and the methods used to manage such results are helpful, especially in rape cases where mixed DNA samples may be expected.

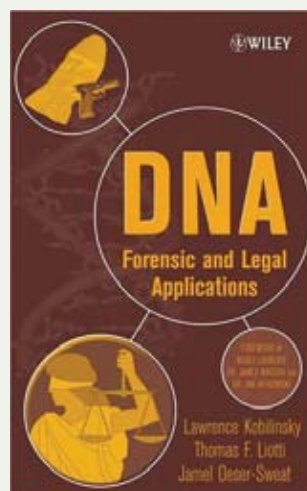
The authors expend some effort discussing the legal history of admitting DNA and other scientific or technical evidence, including the Frye and Daubert decisions and their progeny. This material is not only of historical value, but of practical importance since the science of DNA testing is constantly changing

and new methods of analysis will eventually have to pass one of these standards to be admissible in court.

Whole sections of the book are given to discussions and exemplars of how to conduct voir dire, question experts, make objections and close effectively in DNA cases. That much of this material is written from a defense perspective matters not at all for the prosecutor because anticipating where one's enemy might attack is often just as important as determining what strategy one will use to present his or her own case.

Chapters dealing with scientific materials each contain a healthy reference bibliography for further study or collaboration with one's own DNA expert. The work closes with appendices detailing further bibliographical sources, state and federal court cases addressing the admissibility of various DNA testing methods, contact information for innocence projects, defense DNA discovery request suggestions and a glossary.

"DNA: Forensic and Legal Applications" is a valuable resource for the criminal practitioner, particularly the prosecutor, in dealing with progressively more common and relied upon DNA evidence. This fairly short text (364 pages including bibliographic materials, appendices and index) is a good addition to one's law library. Readers may get a more foundational and in-depth understanding of the mechanics of DNA testing and the theory behind the testing. This gives meaning to the science and makes it relevant in court and for sparking ideas about how better to present a DNA case before judge and jury. 🌱



TECHNOLOGY BREATHING NEW LIFE INTO OLD CASES

/Jamie Neal, Public Information Officer

In 2003, more than 20 years after Sandra Gail Kellems was found murdered in a vacant lot in Owensboro, scientific equipment at a Frankfort laboratory analyzed evidence discovered on her body and produced the DNA profile of her potential killer.

A national, computerized DNA database linked the profile to that of an unknown male whose DNA was found on a Louisville woman murdered in 1986, four years after Kellems.

Months later, James Ray Cable was charged in what had been three freezing-cold homicide cases after his DNA also matched evidence collected from another Louisville woman who was killed in the 1980s.

"That is my favorite case to talk about," said Marci Adkins, the forensic scientist at the Kentucky State Police lab in Frankfort who handled the case. "It's really quite fascinating how that hit came about. The Owensboro case hit to a Louisville case, and those investigators put their heads together to develop a suspect. That's kind of the epitome of how the database works. It puts people in touch with each other in looking for a common thread in their cases."

When Kellems was killed in 1982, the database and DNA testing weren't available for criminal investigations in Kentucky, but today technological advances are playing a



Shanin LaBriola, a forensic biologist at the state lab in Frankfort, uses a wet cotton swab to pick up potential blood evidence on a tennis shoe collected from the scene of a shooting. The lab provides a variety of services, including DNA testing, toxicology, trace-evidence analysis and firearms identification.

major role in cracking cold cases.

"In the mid-90s, technology just exploded," said Detective Larry Carroll, a cold-case investigator at the Louisville Metro Police Department.

The most significant of the progressions is polymerase chain reaction, the process the KSP lab has been using since 2000 to analyze DNA for law enforcement agencies across the state, Adkins said.

PCR can take a small or degraded sample of DNA, such as that from an old, unsolved case, and make millions of copies so that there is enough material to analyze, she said.

DNA can be extracted from skin cells, or epitheliums, in blood, saliva, semen and other fluids.

In the 1990s, when the lab first began DNA testing, the method was restriction fragment length polymorphisms – RFLP. That technique required a large amount of DNA evidence and didn't work well with degraded samples, Adkins said.

Another major leap in solving cold cases came with the FBI's computerized DNA database – the Combined DNA Index System, or CODIS, she said.

As demonstrated in the Kellems case, the database stores DNA profiles of certain convicted criminals and from some crime scenes and can compare them to DNA samples collected in other cases to see if there is a match.

A year after a 17-year-old Madison County girl was raped at gunpoint and her family's home burglarized in 2003, the database connected the DNA profile of her al-



leged attacker to blood from a convenience-store burglary in Stanton.

Although the blood sample didn't belong to the individual who burglarized the store, CODIS connected it to the sample taken from the rape.

The match resulted in a discussion between the Madison County detective and the Stanton officer and led police to arrest Avery Roland for the Madison County crimes.

Fingerprint technology can also point cold cases in a new direction.

The differences in people's fingerprints have been used in identification for more than a century, but a network of computer servers and databases now allows prints to finger possible suspects in unsolved cases "by the bucketful," said Terry Lohrey, a state fingerprint analyst.

The Automated Fingerprint Identification System, or AFIS, went online in Kentucky in 1986, but the most recent, faster version was installed in 1997. There have been between 3,000 and 4,000 hits in cold cases since then, he said.

"Honestly, I wish we had a ship's bell in the hallway and every time we made an unsolved latent hit, somebody needs to ring the bell – although it would probably get annoying as many as we make," Lohrey said.

AFIS includes a terminal – a LiveScan – in every county jail for fingerprinting arrested individuals. The prints are electronically sent to the AFIS office in Frankfort, where the system's database constantly runs identifiable prints against unknowns, or latent prints, from crime scenes.

If an individual is fingerprinted today after being arrested and that person left their latent prints at a crime scene in Kentucky years earlier, AFIS will pull up potential hits within minutes, Lohrey said.

Bulletin boards lining the halls at AFIS in Frankfort are full of "reverse hits" that the system has made in burglaries, sexual assaults, homicides and other crimes. Many of them are matches to cold cases.

But the hits can't be made without new

fingerprints, and getting all law enforcement officers and jail personnel – depending on the responsible party in each county – to provide those has been a problem, Lohrey said.

"Nobody gets really excited about fingerprinting your drunk driver that is puking on your uniform and all that," he said. "It's a lousy part of the job, but that is the foundation that these cold case hits are based on."

That drunk driver may have left prints at a murder scene before that night, Lohrey said.

Investigators don't yet know who killed 36-year-old Douglas Martin Prouty, but the Internet – another technological advancement being used to solve cold cases – may

have brought law enforcement a step closer.

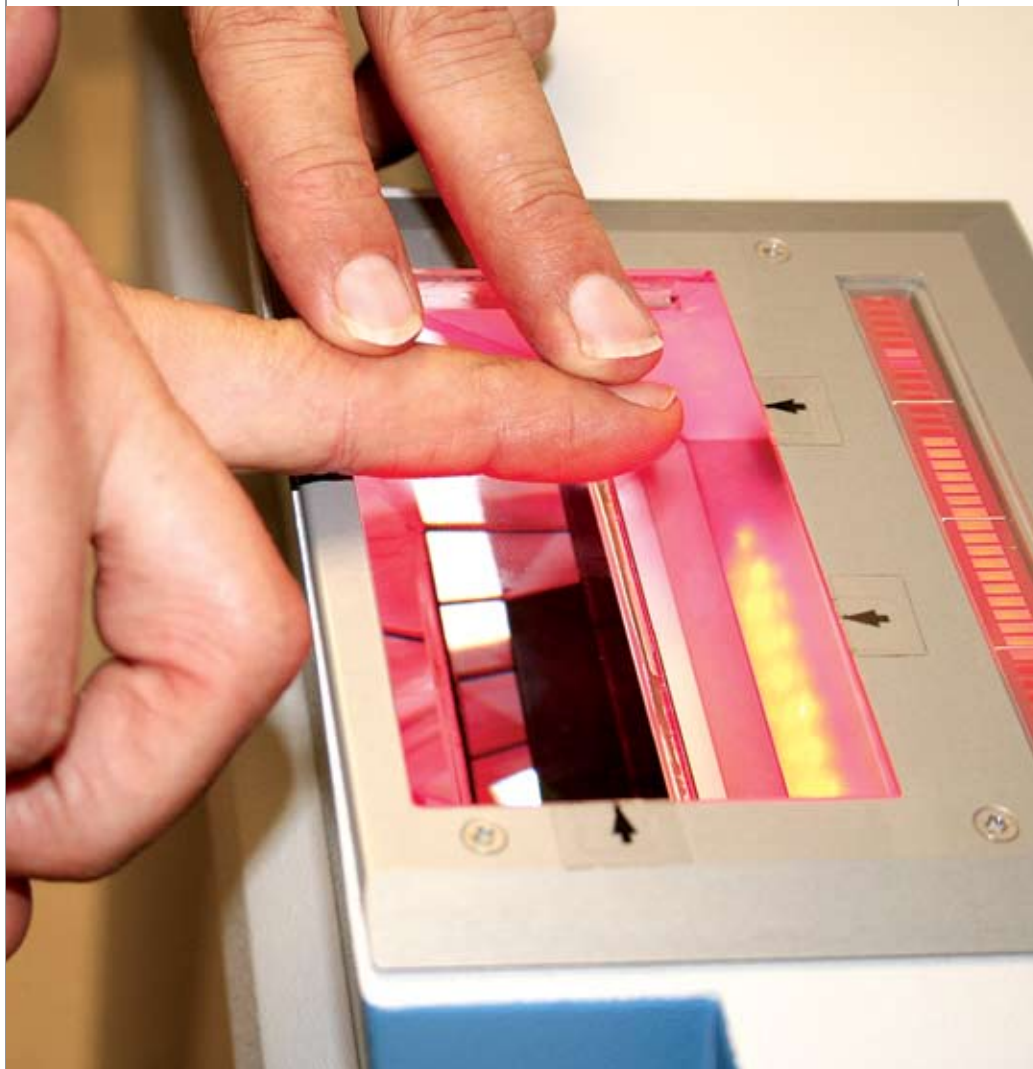
Hikers discovered Prouty, known as the "Madison Man," in Madison County in 1993. His head was covered with a plastic bag from a store in Madison, Wisconsin, and he was wearing a vest manufactured by a sportswear company in Madison Heights, Michigan.

In October, the wife of Prouty's brother immediately recognized a drawing of her missing brother-in-law on KSP's cold case Web site. She had been searching for information about him.

In addition to unsolved homicides, some Web sites include links to missing persons and unidentified remains.

The Kentucky Medical Examiner's Office and the Justice and Safety Center have

A state fingerprint analyst demonstrates how individuals are fingerprinted on a terminal that is part of the Automated Fingerprint Identification System, or AFIS. Advances in fingerprint technology are helping to solve long-term cold cases.



>>

an entire site dedicated to unidentified remains found in the Commonwealth at www.unidentifiedremains.com.

Since its inception in 2000, one person on that site has been identified – a man discovered in 1999 in Greenup County who had been shot in the head, said the Justice and Safety Center's Ryan Baggett, who works with the site.

The Web site was launched after Dr. Emily Craig, Kentucky's forensic anthropologist, learned about the DOE Network, a nationwide volunteer organization that uses the Internet and other methods to aid law enforcement in solving cold cases.

Prior to becoming the DOE network's

Kentucky and Tennessee area director, Todd Matthews helped solve one of the most infamous unidentified remains cases in Kentucky, that of Barbara Ann Hackman-Taylor, the "Tent Girl" of Scott County.

Matthews, like many people, spends time trying to connect unidentified remains with missing persons on the Internet, Baggett said.

With the information on the Web, solving a case could be just a few clicks away, he said.

"That's the whole key behind this," Baggett said. "If we have it tucked away somewhere people can't view it, then it's no good to us."

Kentucky Cold Cases on the Web

Kentucky State Police

www.kentuckystatepolice.org/cold_case.htm

Pulaski County Sheriff's Office

www.pulaskisheriff.com/unsolvedmissing.htm

Lexington Division of Police

www.lexingtonpolice.lfucg.com/Invest/Unsolved1stpage.asp

Louisville Metro Police Department

www.lmpdky.org/unsolved/unsolvedIndex.aspx

STATE LAB ASKING AGENCIES TO SUBMIT SEX CRIMES EVIDENCE FOR DNA TESTING

Law enforcement agencies with unsolved sexual assault cases could be just a few steps away from identifying a suspect.

The Kentucky State Police lab in Frankfort is urging agencies to submit DNA evidence from sexual assault cases, regardless of age, so that it can be tested and entered into the DNA database for possible matches with previous offenders.

The lab has a federal "clearing the shelves" grant for handling such cases and wants to work as many of them as possible during the grant period, which will conclude in approximately five months, lab manager Laura Sudkamp said.

For more information, contact Sudkamp at (502) 564-5230.



A Valuable Tool in Law Enforcement Today: The LiveScan

/Scotty Saltzman, Instructor, General Studies Section, DOCJT
/Terry Lohrey, Latent Analyst, Kentucky State Police

Over the past several months the Department of Criminal Justice Training has instructed basic training recruits in the use of LiveScan, a system that scans an individual's fingerprints of a live person and stores the images in a computer database. This system is accessible at most detention facilities in Kentucky.

Over the past seven months, 295 cold cases have been solved by the use of the LiveScan system.

How does the system work? First, the officer enters the arrest information in the system to begin a record.

When fingerprints are rolled onto the fingerprint acquisition system, LiveScan's scanning prism and computer technology capture the image and store it in a file along with information about the subject and the specific arrest. The fingerprints are then checked for quality assurance and compared to each other to ensure the prints were taken in the proper order.

Once the prints are approved and sent via the computer system to KSP, an electronic response will be sent to that LiveScan machine as to a hit or no-hit. Officers check the mailbox on the system to view the e-mail response. Many systems are equipped with cameras and printers so a mug shot of the arrested person can be included and the information printed.

THINGS TO REMEMBER:

- Get a personal log-on name and password from the Kentucky State Police. If you need assistance with a log-on name and password or haven't received training on the use of the LiveScan system, contact the Ken-

tucky State Police, AFIS Section at (502) 227-8700 or (800) 858-5465.

- Make a note of the ID number given to you by the computer. This will help you later when checking the e-mail response.
- Don't use the Class D section to fingerprint someone. This refers to a state inmate being held at a local detention facility, not a Class D felony charge against someone.
- When completing the information screen of the arrest, pack the record with as much information as possible. It is easier to track someone if the information is included on the arrest record.
- Use current violation codes for the crime committed. The computer will need the violation code, not the KRS number. Use the wrong violation code and the wrong charge will appear on the record.
- Use something like baby wipes to clean the subject's hands, and keep the fingers moist during fingerprinting.
- Wipe the glass off between rolling fingers to prevent ghost images.
- Once the record is sent to KSP (via computer) for processing, it takes about three to five minutes to get a computer (lights out) response. A lights-out hit means that person's fingerprints are in the system. A lights-out no-hit response means that person's fingerprints are not in the system.
- Fingerprint everyone you arrest each time you arrest them.
- Don't train with the system unless you use the training mode or put "Test" in the first and last name sections on the information page. Training with a bogus name other than Test will result in an officer's fingerprints being on file as a criminal.



INSIDE COLD CASE

Todd Kenner solved five cold cases as a detective with the Boone County Sheriff's Office from 1997 to 2004, including several high profile cases that he has discussed on Cold Case Files, Unsolved Mysteries and other national television shows. Those who worked with Kenner have praised his knack for cracking cases through perseverance and skill. He is now a bailiff for the sheriff's office. *This is a partial account of his investigation into one cold case.*



▲ Todd Kenner

/Photo submitted

On July 20, 1994, Diane Washer called 911 from a gas station and reported that her husband, Jimmy, had beaten her.

After police arrived and told her that they didn't have enough to arrest him, Diane walked away, disappearing into the night. A month later, the Covington woman was reported missing.

When I joined the Boone County Sheriff's Office as a detective in 1997, Diane, 39, had been gone for three years.

Hers was to become my first cold case.

The Covington police and FBI had handled the original investigation into her disappearance as a missing person/murder case without a body. They turned over every rock and followed up on even the smallest of leads until there was nothing more they could do.

Then, in 1996, two Boone County deputies found a skull as they were trying to locate a marijuana field in a rural part of the county. A year and \$3,500 worth of complicated mitochondrial DNA testing later, we knew we had Diane Washer's bones.

>>



>>

First, I met with her family. They were convinced that Jimmy had killed her and were upset that the police had not charged him.

My next contact was Covington Detective Bud Vallandingham, who worked the original case when Diane went missing. It was obvious that he and others on the initial case strongly suspected the husband and had done everything possible to get him to confess.

He also told me that another woman, Peggy Casey, had disappeared during the same time period and in the same area as Diane and was found dismembered in three counties around Dayton, Ohio. He thought

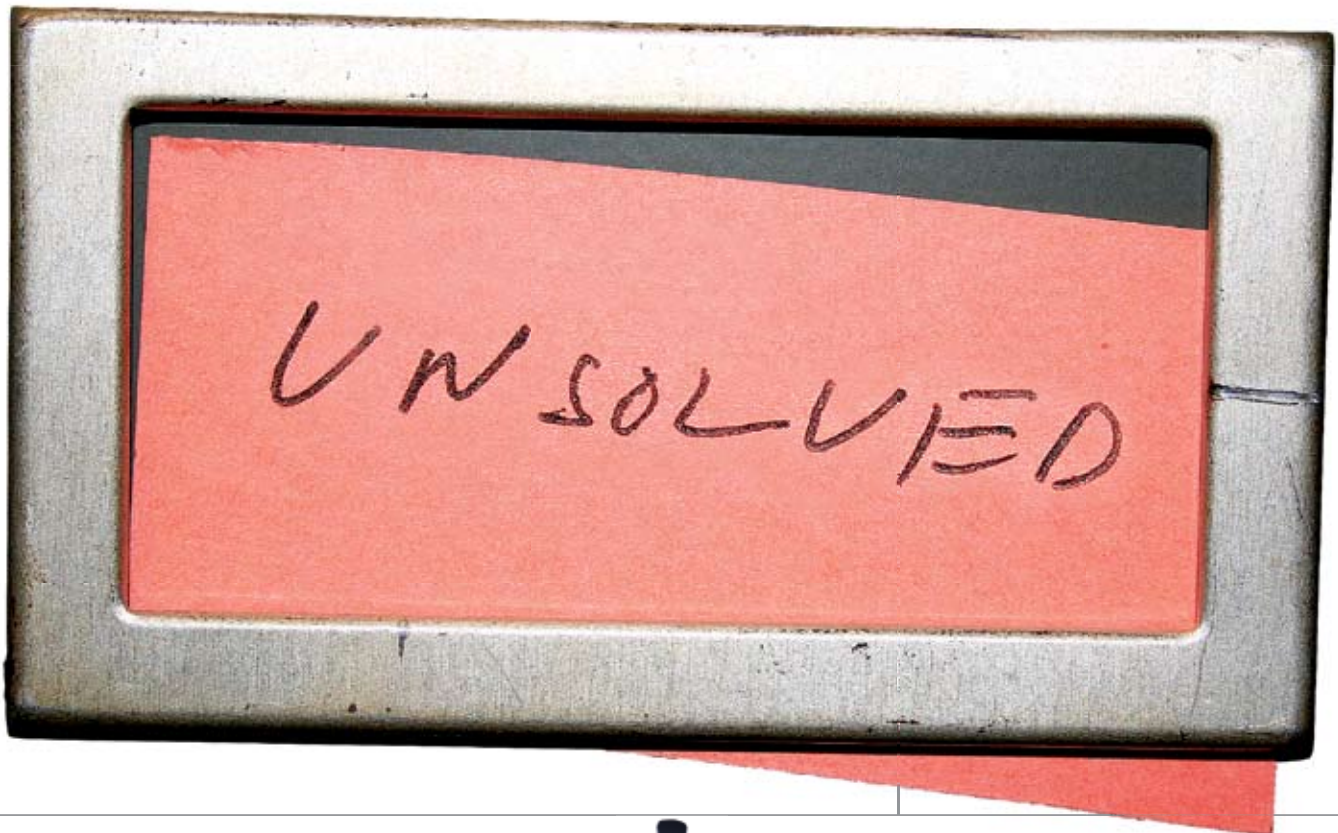
Diane might have met the same fate, but we didn't have anything taking us in that direction, so we stuck with what we knew.

Diane's husband was from Boone County. The one thing that stood out about the site where Diane's remains were located was that you couldn't get there by accident. It was one of those places in the county that you had to know existed.

We re-interviewed Jimmy, but he told us the same thing that he had told the task force in the first investigation, and then he started avoiding us.

I was ready to bet my retirement that we were hunting with the right dog. But two

“Communication. Stop and talk to people, including those who are not potential witnesses.”



days after Bud and I were on the news saying that a suspect in the case (Jimmy Washer) had missed a meeting with us, I got a call that took the investigation in a new direction.

The woman caller said that her sister's nephew, 27-year-old Larry Freeman, had murdered Diane Washer and told his brother and his brother's wife about it.

It was well past my shift by this time. I was glad to get the tip because nothing was happening with Diane's husband, and I was a little worn out with running down leads in hopes that this case would soon be solved.

For some reason, I drove to the area where Diane's body was found after I left the office.

Subdivisions or four-lane roads had not touched this area. There was a mom and pop grocery close to the site, so I stopped in to get a Coke and started talking to a couple of the locals. I told them that I was working the case of the murdered woman whose body was found nearby. They didn't know Jimmy Washer, but they had heard of Larry Freeman. They said that he was raised on top of Big Jimmy Hill, which is near where Diane's remains were discovered. They also told me that Freeman would get mean and volatile when he drank too much beer.

Boone County had been in an unbelievable growth spurt, so I didn't know everyone who lived there anymore. I had nearly allowed this to make me forget one of the greatest, but least spoken about tools of law enforcement. Communication. Stop and talk to people, including those who are not potential witnesses.

These people were concerned about this poor woman who was found so close to their homes and farms. Everyone in the area had discussed the case extensively when the body was found there more than a year earlier.

After talking to them, I felt like I had just awoken from an eight-hour sleep and had five cups of coffee. Now I believed there was going to be an end to this case and that

I was right to think that the person who was responsible for Diane's death was familiar with the area where she was found. This energized me for what was going to be an additional three-and-a-half-week investigation.

The next day I headed down to the residence of Freeman's brother, Billy, to talk to his wife, Melissa. Billy was in jail for molesting his and Melissa's children, so I thought she might give Larry up to get away from the Freeman clan.

But she said that Larry had never talked to her about killing Diane and that he was too sweet to ever do anything like that. She got a smile on her face and stars in her eyes when she made that statement. It turned out that she was sweet on Larry and that she had moved him in since his brother, her husband, went to jail. I told her to have Larry call me if he wanted to talk.

I had barely made it back to the office when he called and agreed to meet me at the sheriff's office.

Before our appointment, I spoke to Billy Freeman at the jail. I asked him if Larry had ever told him about killing someone, and he said, "You mean that woman that he killed?" Billy said that Larry told him and Melissa that after he had sex with a woman he had met in a bar, she said she had AIDS and that he lost it and beat her until she quit moving.

According to Billy, Larry said that he took her body to Big Jimmy Hill and that, as he was covering it with rocks, he hit her in the head with a large rock to make sure she was dead. Larry said he burned the woman's belongings in a fire pit at their mother's home in Grant County, Kentucky, Billy said.

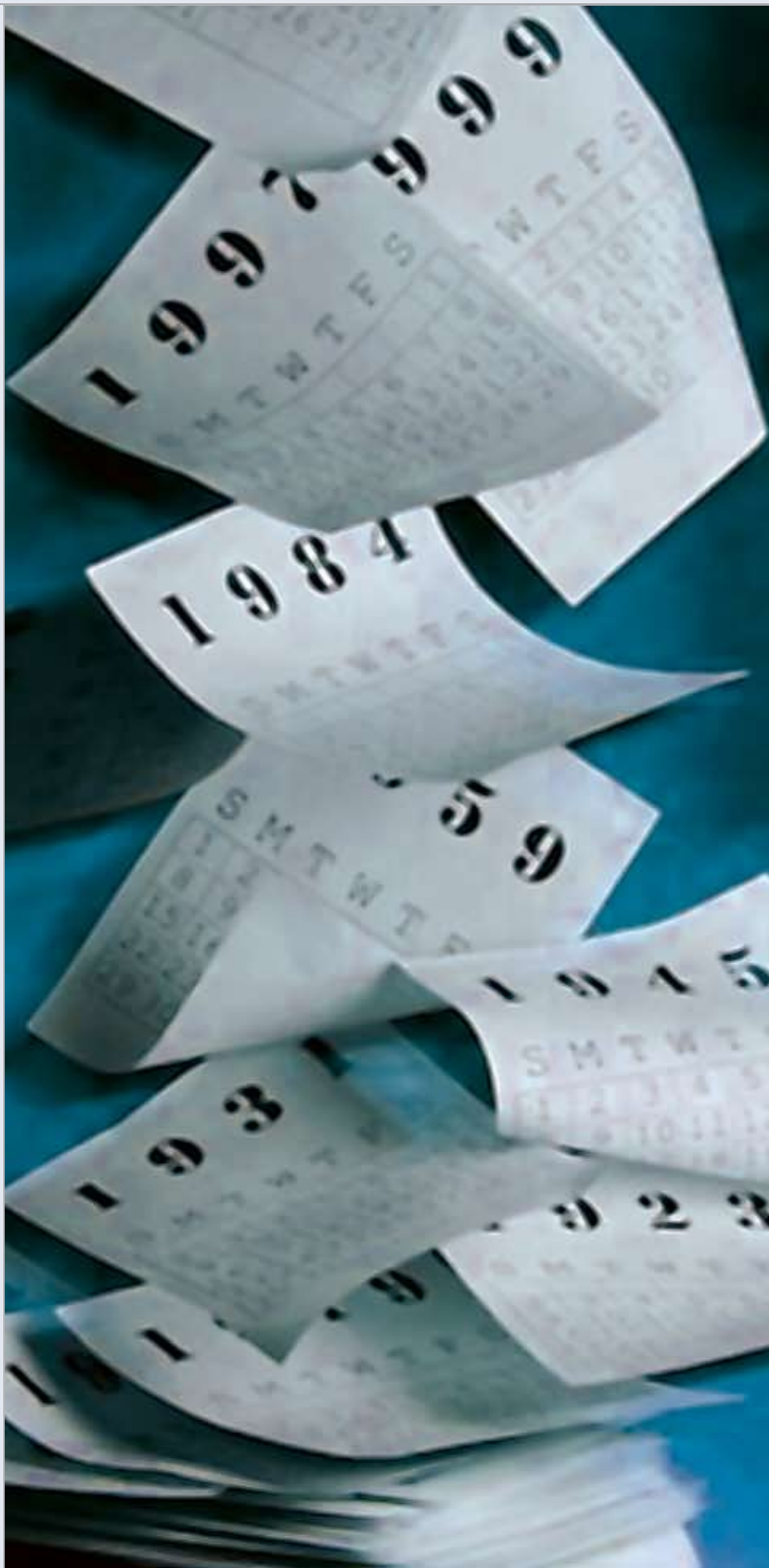
Was this a great witness statement or what? Unfortunately, a convicted child molester whose wife was living with the suspect was not going to be a great witness at trial.

When I met with Larry, I told him that I thought he had murdered Diane Washer.

Advice for working cold cases

- Communicate with law enforcement agencies in the area where your suspect is living and where they lived at the time of the crime.
- Read the case reports of the investigators who worked the case before you. Autopsy reports also are a great resource. Read them as many times as necessary.
- Realize if you are a supervisor that these cases can draw out sometimes and that the detectives need supervisory support because these cases can get very stressful. You can't rush them.
- Alert the media after you have exhausted all leads in an effort to generate new ones. Do not alert the media if you have a suspect. Remember that there are estranged wives, husbands, boyfriends, girlfriends and lodge buddies out there who are waiting for you to just walk up and ask, "Do you know who did it?"
- Be understanding and compassionate when you contact the victim's family. Meet with the entire family to save time and then have the family delegate a contact person so you do not have to call everyone with updates. Do not be offended when the family gets angry with you because the DNA tests or the investigation takes too long. I used to hate the day after CSI was on television because that is when I got most of the calls about why we were taking so long.
- Accept assistance from fellow officers, private investigators and others who worked the case in the past. Run ideas past those you deem capable, and remember to be humble because no one has a patent on law enforcement, and these cases do not have a pattern.
- Be prepared to go the extra mile. I had to travel quite a bit to interview people about cold cases.
- Be persistent.





He, of course, denied it. As we spoke, I slid a picture of her toward him. He started breathing hard and wouldn't look back down. He was shaking so hard that I thought he was going to have a seizure. This told me that I had the right guy for sure. I told him to look back down at her picture, and he stood up and shouted that he was not going to look at it again. He told me that he had nothing else to say.

My next stop was to see Melissa's mother, Goldie. My informant, Goldie's sister, had said that Goldie told her about Larry killing Diane. Goldie denied it. I explained to her that I would put her and anyone else in the family who was lying in front of a grand jury if necessary.

Obviously it was not going well with the Freeman family.

But then Billy led me to his and Larry's cousin Linda. She said that the entire family knew the story about Larry and Diane and that they were denying it out of fear. Linda said that Melissa knew what Larry had done and talked about it frequently.

As the investigation continued, I searched the fire pit at Freeman's mother's home for evidence of Diane's belongings, but as in so many cold cases, the evidence wasn't there.

I had run every possible lead and kept the heat turned up on every member of the Freeman family, but I had a bad feeling that I wouldn't be able to get enough to convict Larry Freeman.

Then I got a break.

Linda called. She said Larry and Melissa had gone to Grant County to get married, thinking that if they were husband and wife, Melissa could not be forced to testify against Larry. But Melissa was married to Billy.

On the ride to jail after I arrested her for bigamy, Melissa said, through tears, that Larry told her that as he and Diane Washer were driving down the road, he lost control of the vehicle and wrecked. She said Larry told her that Diane was thrown from the vehicle and died from a head injury and that he buried her under creek rock at Big Jimmy Hill.



She said that Larry would confess if he knew she was in trouble. We arrested him for bigamy, and after five minutes in a room with Melissa, Larry confessed to killing Diane in a car accident while they were intoxicated.

Dr. Emily Craig, Kentucky's forensic anthropologist, determined that the hole in Diane's skull could have resulted from the vehicle accident. Aside from Billy's statement about Larry's story, I didn't have evidence that she was killed another way.

More than four years after Diane's death, Freeman was charged with first-degree manslaughter. He pleaded guilty in Boone County Circuit Court and received a 20-year sentence.

One of the best feelings I have experienced during my career came the week before I retired when I charged someone in another cold case - the murder of Peggy Casey.

This was the case that my friend Bud had told me about when we first met on the Washer case. It seemed my cold cases had come full circle.

In closing, in the spirit of brotherhood, if I can ever be of any assistance, please do not hesitate to call. I can be reached through the Boone County Sheriff's Office at (859) 334-2175. 🐾

Kenner Solved Four Other Cold Cases

VICTIM: Tina Stevens – Skeletal remains found April of 2000

CONVICTED: Murder/Tampering with Evidence - Deborah Huiett

SENTENCE: Life

ACCOMPLICE: Leonard Day

CONVICTED: Complicity to Murder/Tampering with Evidence

SENTENCE: 55 years

VICTIM: Marlene Major – Skull found in November 1980

CONVICTED: William Major (husband)

SENTENCE: Life

VICTIM: Peggy Casey – Remains found in three counties near Dayton, Ohio.

CHARGE: Rape/Murder/Tampering with Evidence

ACCUSED: Ray Clutter, Paul Anthony White

TRIAL: Pending on both

VICTIMS: Marie Schuholz and Starla Burns, murdered 1981

CONVICTED: Murder for Hire in Kentucky/ Federal Court

CHARGED: Two Counts Murder in Sharonville, Ohio

ACCUSED: Albert Schuholz

TRIAL: Pending

DETAILS: We arrested Albert Schuholz for attempting to murder his fourth wife and her sister-in-law. In the process of taping him and the potential hit man, he said enough about his second wife's murder that we passed the tape and case information to a Sharonville detective who charged him with the 1981 double murder. On the cases were: the Boone County Sheriff's Department, retired chief Don Delaney Ft. Mitchell Police and retired FBI Special Agent Larry Adams

“As the investigation continued, I searched the fire pit at Freeman's mother's home for evidence of Diane's belongings, but as in so many cold cases, the evidence wasn't there.”





/Photos by Edliniae Sweat

PROFILE BIO

KAREN CASSIDY

began her career at the Department of Criminal Justice Training in 1986. Before coming to DOCJT, she was employed by the Mount Sterling Police Department. Karen has a Bachelor of Arts from Eastern Kentucky University and is working on a master's degree. She is the supervisor of the Basic and Advanced Firearms Section.

Karen Cassidy

What changes have you seen in DOCJT during your career?

DOCJT was so different when I started work here in 1986. I started in Basic Training in the Stratton Building and there were eight Basic instructors at that time. I remember watching the Funderburk Building being built. DOCJT students stayed at the old University Inn on the by-pass. Now I am in a section with eight instructors who teach firearms in the Sayre Building next door to the McKinney range.

In firearms, I have been here for the days of strictly revolver training to almost exclusively semi-automatic pistol, from a 10-week Basic academy to 16 weeks, from a building that DOCJT shared with Eastern Kentucky University to our new, modern facilities, and from lecture-style classes to facilitation.

There are so many differences. The one thing that has remained the same though is the dedication of everyone who works here.

Who has been the most positive influence during your career and how?

I would have to say my family is the most positive influence. My parents support me

in everything I do. My mom and dad taught me that anything is possible if you work hard enough.

Here at the agency, I have been fortunate enough to work with some extraordinary people who were here when this agency started and with people who continue to move law enforcement training into the future.

Where do you think law enforcement training is headed?

Forward at DOCJT! There have been so many changes in the past that predicting what will take place down the road is difficult. With technology evolving so quickly, there seems to be something new every day. I see law enforcement training moving toward more practical training and application changes in teaching styles like using problem-based learning and computerized training. It is a new concept but one that I think will be very effective.

Everyone who works at this agency tries every day to improve training for the officers and recruits who attend.

What are some of the accomplishments of which you have been most proud during your years at DOCJT?

I am proud that I work here, for one. I am proud to be a member of this agency, one of the leaders in law enforcement training in the United States. Kentucky law enforcement training can be proud that DOCJT was the first academy accredited by the Commission on Accreditation for Law Enforcement Agencies, or CALEA. This was quite an honor and the result of hard work by a lot of individuals. I am also proud to be associated with many of the fine people who work here.

Personally, I am proud to have had a role in some of the changes that have taken place at DOCJT. I was one of the Basic Training supervisors when we went to a 16-week curriculum and schedule. So many changes took place at that time.

I am also proud to have worked in Professional Development. I feel that I have come full circle by being assigned to the Firearms Section. I was a firearms instructor for a little over 10 years and left that area to work elsewhere at this agency. I returned after being away for more than six years.

We are so fortunate to have our offices in a location where we can walk to the armory and walk to an indoor firing range.

You enjoy working the annual DOCJT competition shoot. How does working in the competition shoot fit with the mission of DOCJT?

I haven't worked every year in the annual competition shoot like Bob French, Randy Baird and Cindy Hale, but every year that I have had the opportunity to assist in it, I have enjoyed seeing former students and new competitors.

It's hard to believe that next year will make the 14th annual competition. I enjoy being around the participants in a somewhat informal, competitive atmosphere. It gives the instructors a chance to show students that firearms competitions can be fun, and there is such a spirit of camaraderie. The proceeds from the shoot go to a charity designated by the competition committee.

For the 2005 shoot, the winning team chose a hospice organization in their area — Bowling Green. I also enjoy working with

some of the staff each year who seldom get a chance to go the Boonesborough Range. It gives them an idea of what it is like at the location.

The DOCJT staff enjoys receiving your unique Christmas cards each year. What are your plans for this year?

Several years ago, I started taking a picture of my dogs — I call them my girls — dressing them up and using the photo for a themed Christmas card. Each year, I go around to the sections at the agency passing out the cards. It has become my tradition. I get questions around May about whether I have started thinking about what I am going to do for the

Christmas card for that year. I usually start thinking about what I am going to do and try to come up with a way to get the girls in that setting. Everyone asks me how I get the girls to sit, dressed up for the picture. I take a lot of pictures! When I first started, I was using a regular 35 mm camera. I think the first photo took about eight rolls of film. Since then, I have used a digital camera, which makes it a lot easier and less expensive. I always keep the theme a secret until I pass out the cards. One year, the girls were dressed as cowboys, another year they were Santa and an elf. Last year, they were dressed like superheroes. It is a lot of fun for me — but I don't know how much fun they have posing. 🐾



/Photo submitted



PROFILE BIO

RON H. GODSEY is an investigator manager for the Department of Criminal Justice Training's Compliance Section. Prior to joining DOCJT, he retired as a sergeant major after 23 years with the U.S. Army Reserves and as a sergeant with the Kentucky State Police. He was with KSP for 25 years. Ron has worked in the DOCJT Basic Training Section as a law enforcement instructor, as a law enforcement instructor senior in the Professional Development Section and as an investigator in the Compliance Section. He and his wife, Betty, have been married 39 years and have four sons and three granddaughters.

Ron Godsey

What is your background in law enforcement?

In 1952, when I was five years old, I received a serious head injury when a farm wagon ran over me. After the accident, my parents had to take me from Delta in Wayne County to Monticello every day for follow-up treatment. During one trip, a truck carrying glass pop bottles had overturned in a curve, and our vehicle ran into the glass, puncturing two tires.

A state trooper arrived at the scene of the accident and took a big interest in me. I remember that he assisted in getting our tires repaired and made sure I got to the doctor's office.

I never forgot that trooper's interest, concern and compassion. That encounter as a five-year-old boy, along with the love and discipline of my parents, started me on the path to being a Kentucky state trooper.

In 1966, I was drafted into the Army. I graduated from military police school and was assigned to Fort Richardson, Alaska. Af-

ter completing my tour of duty in the Army, I was hired by the Kentucky State Police.

My career with KSP lasted 25 years until retirement in 1993. I worked traffic enforcement and criminal investigations in Frankfort and Richmond. While at Richmond I received a Bachelor of Science degree in Police Administration from Eastern Kentucky University.

As part of KSP's special investigations unit, I worked undercover surveillance on organized crime.

I received a promotion to sergeant and went to Harlan, where I was squad sergeant for Harlan and Bell counties. During my first six months as sergeant, we received 25 rookie troopers. Keeping them out of trouble was quite an experience.

As opportunities arose, I transferred to Columbia and to Richmond to be closer to home. I was squad sergeant and operation sergeant for the special response team, riot control squad, street level drug ops, marijuana eradication and crime prevention.

I came to DOCJT as a law enforcement training instructor in Basic Training in 1993. I transferred to what was then the In-service Training Branch in 1996. In 1999, I transferred to the newly formed Compliance Section as an investigator. I have been the investigator manager since 2002.

How has training been an important factor in your law enforcement career?

When I graduated from the Kentucky State Police Academy in 1968 it had, and still has, the reputation of being one of the best in the country. The excellent training I received there and from my field training officer, H. C. Curly Shipp, prepared me for the reality of patrolling a rural area alone with backup a county or more away. I have remembered the advice of my training officer: "Take what you learned at the academy and what I am going to show and tell you, and it will keep you out of court and out of trouble." Also, "Don't fix the first ticket and you will never have to fix the second ticket." My relationship with Curly Shipp goes beyond being my training officer to someone who saved my life. On the very first day I worked with him he saved me from being hit by a drunk driver.

I further realized the importance of training at the 2085th U.S. Army Reserve School. It was here that I developed a strong interest in instructing.

The experience I had gathered as an army instructor, KSP trooper and sergeant led me to believe I had something to offer young police officers. "Been there, done that" was what the police recruits often said was one of my favorite sayings.

When I started at DOCJT, instructor training outside the state had been suspended due to budget restrictions. In late 1994 I was privileged to be one of the first instructors to receive approval to attend out-of-state training at the Cooper Institute in Dallas, Texas. The excellent instructor training I have received by and through DOCJT has been extremely important to my effectiveness as an instructor.

Tell us about your role in developing the DOCJT Compliance Section as an investigator.

The Compliance Section was formed in April

1999 under Investigator Manager Horace Johnson. The section was formed to assist law enforcement agencies with compliance issues involving Kentucky Law Enforcement Foundation Program Fund and Peace Officer Professional Standards statutes, rules and regulations. POPS was brand new, and KLEFPF incentive payments had never been audited for compliance. They had been distributed since 1972, so we had our work cut out for us. We also had the responsibility of monitoring Carrying Concealed Deadly Weapons instructors, conducting background investigations on new employees and handling internal investigations.

One of the first things I did was to assist the investigator manager and other investi-



gators in writing the policy and procedure manual for the section. We developed needed forms and checklists as well as the first rotation of audits.

I spent a lot of time with chiefs, officers and their staff answering questions about the new POPS laws and KLEFPF audits.

What is your present role in the Compliance Section?

We still have the responsibility of ensuring compliance with KLEFPF, POPS and CCDW laws and various investigations.

This year the KLEFPF fund will distribute over \$22 million to law enforcement agencies in Kentucky. To make sure this money is being spent properly, we inspect training records, timesheets, payroll records and POPS

files. Our responsibilities have also expanded to ensure telecommunicators are compliant with training requirements.

Share with us what you enjoy outside of work.

Most of all, I enjoy spending time with my three beautiful granddaughters Hunter, Taylor and Katrina. I also like working in the yard and raising a garden. I enjoy having family and friends over for a meal or going out with them. I like to cook and enjoy traveling.

How do you and your wife, Betty, (who is supervisor of DOCJT's Advanced Telecommunications Section), work as a team?

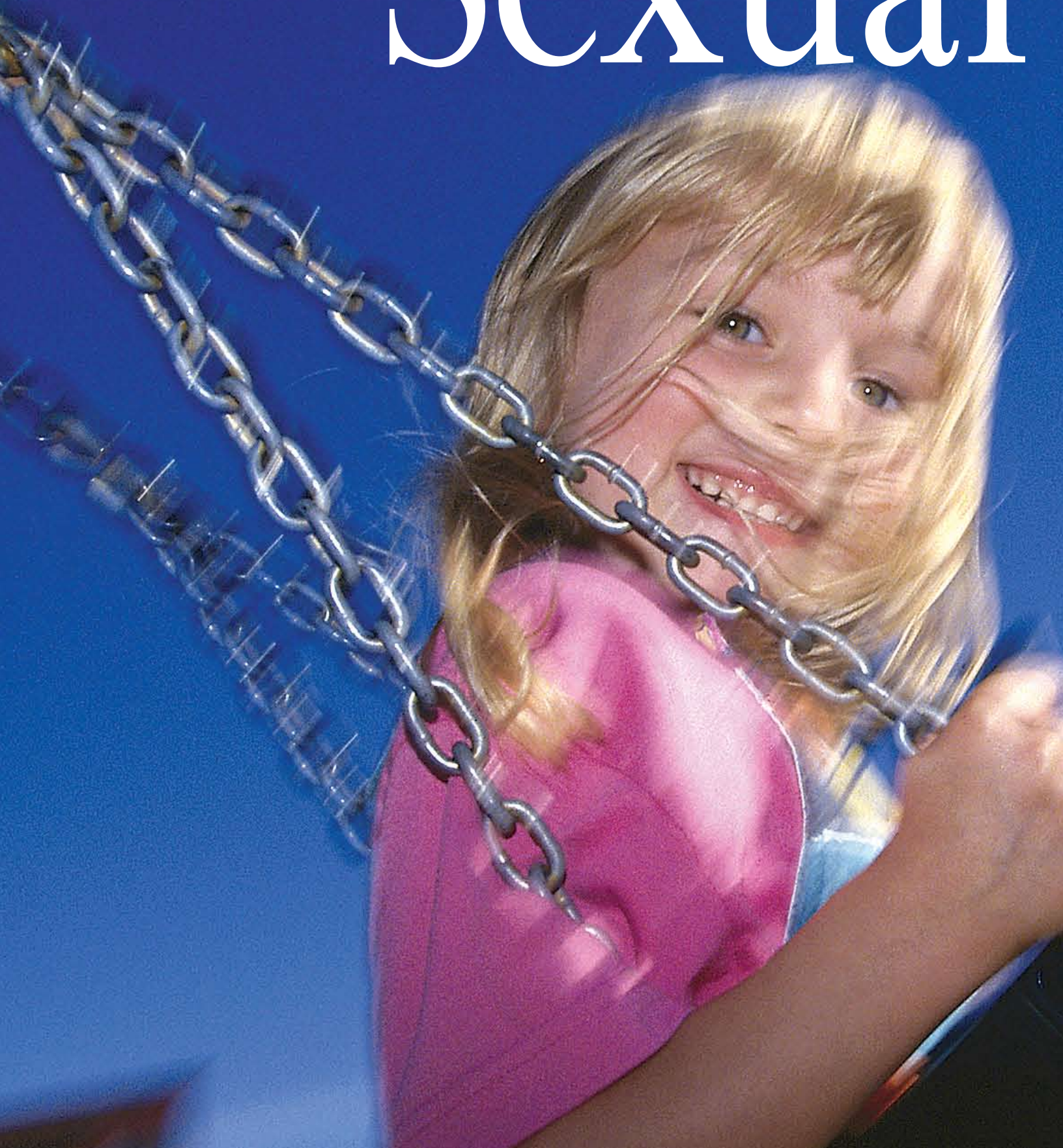
Some friends have told me that I married above my raising. I am proud to say that I did.

Betty is one of those extra special women that makes a good police officer's wife. She has put up with a whole lot over the last almost 40 years. Between KSP and the Army Reserves, I was working most weekends, and for four years my family saw me maybe two days a week. Betty raised our four boys and did an excellent job. I am very proud of her and my sons.

During the last several years we have grown into a good team at home and at work. We are both certified instructors, so even now we give each other feedback on classes that we are teaching.

As supervisors we use each other as sounding boards for issues dealing with everyday operations. 🍷

Sexual



Offender LAWS

Team Offers 26 Recommendations to Crack Down on Sex Offenders

/Jeanne Lausche, Communications Director, Office of Lieutenant Governor

/Steve Lynn, Assistant General Counsel, Department of Criminal Justice Training

A coalition charged with developing a legislative strategy for strengthening sex offender laws presented its recommendations to Lt. Governor Steve Pence in October.

Declaring that sexual predators would be dealt with harshly in Kentucky, Pence launched the efforts to address sexual assaults and child pornography earlier this year. He formed Kentucky's Coalition Against Sexual Assaults, KCASA, a group of 11 professionals with experience ranging from law enforcement to corrections.

KCASA has been charged with developing a strategy for legislation to strengthen laws to protect children and families from dangerous predators.

KCASA is drafting an omnibus bill for consideration by the Kentucky General Assembly's 2006 legislative session.

"Strengthening Kentucky's sexual offender laws should not be a partisan issue," Pence said. "We must work together to protect the most vulnerable members of our society – our children."

Throughout the summer and early fall, KCASA conducted seven public meetings across the state to gather opinions, stories and suggestions from Kentuckians. Hundreds of prosecutors, judges, victims' advocates and other concerned citizens attended, providing valuable insight about the current laws and those that could be revised.

"The bottom line is many sexual offenders repeat their crimes over and over again, often because they get out of prison on pa-

>>



/Photos submitted

▲ Floridian Mark Lunsford, whose daughter was murdered by a convicted sex offender, joined Lt. Gov. Steve Pence in leading a motorcycle rally to draw attention to Kentucky's need for stronger sexual predator laws.

“role or are only sentenced to probation,” Pence said. “For instance, here in Kentucky, possession of child pornography is currently a misdemeanor, when it should be a felony. We must better protect the most vulnerable members of our society.”

KCASA co-chair, Bridget Brown, who is the commissioner of the Department of Juvenile Justice, said that there was nothing more important than “the safety and well-being of Kentucky’s children.”

“The proposals from the coalition will strengthen Kentucky’s laws, ensuring that those convicted of sexual offenses will serve longer sentences and mandating that those who are released are kept under the watchful eye of Probation and Parole and other law enforcement agencies throughout the state,” she said.

To raise awareness about the importance of strengthening Kentucky laws, Pence also hosted a statewide motorcycle tour in August, featuring Mark Lunsford, a Floridian whose daughter was murdered by a child predator just six months previously. In a crime that made national headlines, his daughter, Jessica, was abducted from the family’s home by a repeat sex offender, abused, raped and

buried alive. Authorities found her body less than 150 yards away from her home almost a month later.

“I don’t want another child to have to suffer the way my Jessica suffered,” Lunsford said. “Lt. Governor Pence is stepping up to the plate and tackling this problem so families in Kentucky never go through this nightmare.”

Convicted sex offender John Evander Couey, a neighbor and previously convicted sex offender, has been charged with capital murder, burglary with battery, kidnapping and sexual battery in connection with Jessica’s abduction and death. Following the Jessica Lunsford tragedy, Florida legislators passed “Jessica’s Law,” legislation that requires sex offenders to wear electronic tracking devices at all times.

“While commending Florida lawmakers for swiftly reacting to this heinous crime, I do not want a similar catastrophic event to occur in Kentucky before we strengthen our laws,” Pence said. “Kentucky must be proactive in this endeavor. We do not want to name a law in memory of an innocent child who was a victim of a sexual predator.”

The Kentucky Coalition Against Sexual Assaults

KCASA RECOMMENDATIONS

- consecutive sentencing for multiple sexual offenses against multiple victims
- life sentencing without parole for conviction of a second sexual assault against a child
- elevating the sexual abuse statutes by one penalty class
- codifying all felony sexual offenses in the violent offender statute
- making the penalties for incest the same as rape
- creating a special category in the sexual assault, rape and sodomy statutes for offenders who serve in a position of authority or special trust to the victim
- increasing the sex-offender registry period to 20 years and lifetime
- increasing the penalties for non-compliance with the sex-offender registry laws
- creating a definition of residence for the sex-offender registry that is applicable to homeless and transient persons with a requirement that homeless and transient individuals re-register every 14 days
- amending the Sex Offender Registry Act to include pornographic offenses involving minors
- requiring offenders moving into Kentucky from other states to register within five days
- increasing the period of conditional discharge for a sexual offender from three years to five years
- permitting sheriffs' departments and other law enforcement agencies to conduct community notification without fear of civil liability
- prohibiting all sexual offenders on the registry from residing within 1,000 feet of daycares, schools, parks and public swimming pools
- requiring electronic monitoring of those on bail for sexual crimes and prohibition of released on own recognizance or unsecured bail for sexual offenses
- automatic transferring of some juveniles to adult court if charged with a Class A, B or C felony violent sexual offense involving a victim who is four years younger than the offender
- repealing the three-year limitation of sex-offender treatment for juveniles
- opening juvenile felony hearings to the public in certain cases
- prohibiting the mixing of public offenders and abused, neglected, or dependent youth in foster homes and other facilities
- requiring the disclosure of offender statements made in a treatment program in order to identify and provide assistance and protection to past, present or future victims
- including a special designation on Kentucky drivers licenses or identification cards identifying a sexual offender to law enforcement
- eliminating the statute of limitations in a civil sexual abuse case
- authorizing school boards to adopt policies regarding background checks of contractors who perform work in the school
- authorizing the use of hormone treatment (chemical castration) for a limited group of sexual offenders if recommended by a treatment provider and imposed as a parole condition
- amending the hindering prosecution or apprehension statute to include family members who intentionally hinder the apprehension or prosecution of an individual who is in violation of the requirements of the Kentucky sex-offender registry statutes or a person who has violated the terms of sex offender conditional discharge or parole for sexual offenses
- conducting further study of the issue of civil commitment of mentally ill offenders

KCASA MEMBERS

Dave Baker,
Lexington radio and
television journalist

Bridget S. Brown,
commissioner of
the Department of
Juvenile Justice

Mary Corey, retired
Jefferson District
Court judge

Holly Dunn, assault
victim and advocate

Ray Larson,
22nd Judicial Circuit
Commonwealth's
Attorney

Mark Miller,
commissioner
of the Kentucky
State Police

John Rees,
commissioner of
the Department
of Corrections

Eileen Recktenwald,
executive director
of the Kentucky
Association of Sexual
Assault Programs

Linda Tally Smith,

54th Judicial Circuit
Commonwealth's
Attorney

Vickie Wise, Victim's
Advocacy Division
of the Office of the
Attorney General

Kathy Witt, Fayette
County sheriff

KCASA CONDUCTED PUBLIC FORUMS IN

Ashland

Erlanger

Hazard

Lexington

Louisville

Owensboro

Paducah

PROVIDING SUPPORT WERE: KSP Lt. Tanya Clark, Justice and Public Safety Cabinet Deputy Secretary Cleve Gambill, Tom Gilsdorf, Sharon Goode, Jeff Hancock, Lisa Howard, Steve Lynn, Chuck Massarone, Carolyn Miller, Phyllis Millsbaugh, Luke Morgan, Jean Ann Myatt, Jo Carol Roberts, Jim Robertson, Fayette County Deputy Sheriff Jim Sanders, Ken Schwendeman, Tami Stetler, Jessica Skraastad and Dr. Rodney Young.



DRE Pilot Program Comes to Kentucky

/Abbie Darst, Public Information Officer

▲ Members of the Greater Madison Area Citizens Police Academy Class No. 5 participate in DUI detection training at the Department of Criminal Justice Training. Similar eye tests like those done in DUI detection are performed as part of a drug recognition exam done by a drug recognition expert.

/Photos submitted

Late one Friday night you're patrolling your beat when you notice a car coming toward you, trying desperately not to cross the center-dashed line, and intermittently crossing the solid line on the right until the driver is startled by the sudden, invading sound of rumble strips. You think to yourself that this individual is either extremely tired or drunk, neither of which mix well with driving a vehicle. Without hesitating, you flip on your lights and sirens and pull the car over.

Upon approaching the vehicle, you encounter two young men in their mid to late twenties; the driver appears disconcerted, nervous and quickly becomes aggressive. After performing a series of exercises to check for intoxication, you decide that you definitely have a drunk driver on your hands. You arrest him and take him to the station.

However, he blows a 0.00 into the Intoxilizer 5000, hardly what you expected after the signs that you saw in his driving and in the administered field tests.

Now what do you do? You have plenty of evidence of impairment, but no numbers to back it up. You can ask for a blood and/or urine sample but there are times when even the presence of drugs in those samples doesn't hold up in court since certain drugs, like marijuana, can be traced in the system for up to 30 days.

In the near future, Kentucky law enforcement may have a way to combat situations like this. Kentucky is now the 42nd state to host a Drug Evaluation and Classification program. The DEC program teaches peace officers to identify a drug-impaired individual, and graduates will obtain certification as Drug Recognition Experts.

"The increased substance abuse problems faced by Kentucky and experienced by the state's law enforcement officers every day warrants drug-specific training for officers across the Commonwealth," DOCJT Commissioner John Bizzack said. "The ability for us here at DOCJT to combat the issue of drug abuse from yet another proactive way is very important. The DRE program will provide Kentucky's officers with the tools they need to effectively recognize and prosecute drugged-driving offenders and keep Kentucky's streets safer."

The Department of Criminal Justice Training will host two pilot DRE training classes beginning in January 2006. Kentucky Vehicle Enforcement is funding the pilot project and KVE officers will attend the first two sessions. The training will consist of 72 classroom-instruction hours, including daily quizzes and a final exam. After completion of the classroom portion of training, officers will complete a training internship. During the internship, officers will conduct 12 DRE instructor-supervised evaluations of drug-impaired subjects and will complete a six-hour written exam to obtain DRE certification.

"KVE officers are particularly concerned with offenses that involve impaired driving," KVE Commissioner Greg Howard said. "Last year a KVE officer was recognized by Governor Ernie Fletcher for having the most DUI arrests of any officer in Kentucky in 2003, and many of his arrests were drug related. We are pleased to have the opportunity to be the lead agency on a national program in collaboration with the Department of Criminal Justice Training. This program will better prepare our officers to fairly and consistently enforce DUI laws and get dangerous drivers off the street."

DREs are trained to determine whether an individual is under the influence of drugs through a visual evaluation. DRE classes take an in-depth look at the physiology of drugs and focus on teaching officers how to take the vital signs of the impaired individual and match symptoms such as blood pressure and clues in the eyes to identify the type of drug influencing the person's body and behavior.

"Officers often struggle in this area, knowing that an individual is impaired but not knowing on which specific substance," Howard said. "The DRE program will help boost officer confidence by giving them the knowledge they need to recognize specific drug-related impairments."

DREs frequently administer tests when making an arrest for drunk driving, if the breath analysis is passed. The hour-long exam is considered 90 percent accurate and the DRE's testimony may provide better evidence for the prosecution than toxicology reports. Blood tests may not measure the quantity of drugs taken and, even if they do, may not show a level high enough to prove impairment. Urine tests do not accurately pinpoint when the drugs were ingested and may not show the quantity. Therefore blood and urine tests alone may not be sufficient to prove the person was affected by drugs when they were driving. The DRE's exam and testimony provide that link between the toxicology report and the Driving Under the Influence charge.

With the extreme rise in substance abuse in Kentucky in recent years, law enforcement agencies across the Commonwealth have become more aware of the need for specialization in drug-related issues from prevention to prosecution. Soon Kentucky's officers will join the other 5,800 DRE officers in the United States in helping to combat substance abuse cases that fall through the cracks by using expert training and skills to recognize specific impairments and testify on behalf of the arresting officer and department.

For more information on the DRE Program contact Darrell at (859) 622-2339.



Stuck in Trafficking

Kentucky Among States Taking Initiative to Fight the Emergence of Human Trafficking in the U.S. /By Abbie Darst Public Information Officer

Forced labor, prostitution, physical and sexual abuse, forced marriage, harvesting of human organs – this is the face of human trafficking, a ghastly business flourishing in places like India, Nepal and China. And those engaging in the trade are not street-wise thugs trying to turn a dollar, they are upper-class members of society with respectable standing in their communities, said Abhilasha Bisht, sr. supt. of the Uttaranchal Police Department in India.

Bisht made a presentation at the 2005 Kentucky Women's Law Enforcement Network on the problems and personal devastation caused by human trafficking in India. She cited that more than 150,000 girls are trafficked in India each year and more than 30,000 children disappear each year, 27 percent of which are never found. These statistics rank India as one of the top nine places for sex trafficking in the world.

However, people seem to have this stereotype that trafficking is only occurring overseas in these third-world countries. If they do venture to think that it is happening in the United States, they assume it is restricted to Los Angeles and New York City. In reality, trafficking is a stubborn and staggering problem

world wide, affecting an estimated 600,000 to 800,000 victims each year. Approximately 17,000 of them are trafficked to the United States, according to federal statistics. Victims of human trafficking have come from nearly 50 other countries to almost every part of the world and are trafficked to virtually every state – to clandestine factories, restaurants, farms, massage parlors, even private homes where women and girls are kept in servitude, according to the Associated Press.

In Atlanta, Georgia, starting in 1995, an Asian crime organization called Snakeheads smuggled Asian women into Atlanta and would regularly trade the women between local and out-of-town brothels. Between 500 and 1,000 women from all over Asia were shuttled around the country from Atlanta to brothels in places like Arizona, California, Colorado, Florida, Illinois, Pennsylvania Texas, Indiana, Kentucky, Tennessee and Ohio. This is no longer a problem that can be viewed as distant and continue to go unnoticed and unaddressed by law enforcement.

In 2004 the Kentucky House of Representatives drafted HCR 210, which created a task force on human trafficking. The bill addresses the fact that the "continued existence of sexual and economic slavery and peonage

within the criminal community represents a clear and present danger to the very foundation of our civil society."

The Trafficking in Persons Task Force was established to analyze and assess the problem of human trafficking including an identification of federal and state laws relating to trafficking in persons; identification of federal, state and local agencies involved in the prevention of human trafficking; the effectiveness of existing state and local programs in preventing human trafficking; and the effectiveness of existing state and local programs in serving victims of human trafficking, including health care, housing, education and legal assistance, as stated in Section 1 of HRC 210.

In addition, Senate Bill 11, which will be taken up in the 2006 legislative regular session, solicits for a new chapter to be added to Kentucky Revised Statute Chapter 509 and designates that acts such as forced labor, service, restraint or confinement against another's will be considered acts of human trafficking and classified as Class B felonies. According to this same bill, "human trafficking means transporting, soliciting, recruiting, harboring, providing or obtaining another person for transport. A person is guilty of human trafficking when he or she engages in

human trafficking with the intent that the trafficked person engage in forced labor or services.”

But the question may still linger – does human trafficking really happen in Kentucky? Two recent articles published in Louisville's Courier-Journal resound with a harsh and tragic “Yes.”

In July 2004 the Courier-Journal published an article entitled “Businesses Cash in by Selling Sex,” that described the common usage of massage parlors in metro Louisville as a pretense for selling sex. The article described the life of the women involved, most of whom were Asian, sometimes sleeping on mattresses on the floor and keeping their bags always packed to leave at a moment's notice. Many of these women only stayed in Louisville for a few months before being moved to massage parlors in a different towns or states.

Several months later in November 2004 the Courier-Journal published another article about a



Louisville man who was arrested for holding a 15-year-old girl captive in his home for two months while raping her and forcing her into prostitution in nearby Bullitt County, as well as places in Indiana and Florida. The man was charged with unlawful imprisonment, use of a minor in a sexual performance, sodomy, sexual abuse and promoting prostitution – all offenses that fall under the definition of human trafficking.

As the problem of human trafficking hits closer and closer to home and as more information is uncovered about its origins and coordination, new steps are taken in the Commonwealth to inform officers on how to identify and stop this problem.

The Department of Criminal Justice Training along with the Kentucky Regional Community Policing Institute will be offering two human trafficking classes in 2006. The 24-hour course is designed to provide training for law enforcement personnel on the problem of human trafficking and ways to combat it. Students attending this course will be exposed to the nature and scope of human trafficking; will become aware of victim identification, rescue issues, investigation and prosecutorial considerations, as well as a need for coordinated community response to this violation of human rights.

One of Sr. Supt. Bisht's suggestions for combating human trafficking also centered on a strong inaction of community policing. Since the victims of this crime are often afraid, threatened, socially isolated and restricted in their movement, an officer's heavy involvement in the community will often gain him or her access to information about strange occurrences going on in particular homes and businesses, Bisht said. This privileged information may allow law enforcement to identify and curtail traffickers in local neighborhoods.

Through training and broadened awareness on the issue, Kentucky's law enforcement community has joined many law enforcement officers around the world in learning to deal with this new, pervasive issue.

Facts on Trafficking

- Approximately 800,000 to 900,000 victims are annually trafficked across international borders.
- Sex trafficking is the third most profitable industry of organized crime. Annual revenues from sex trafficking produce an estimated \$7 billion.
- Many are unable to seek help because they do not speak English, they are afraid, threatened, socially isolated, or their movement is restricted.
- Many victims are forced to work in prostitution or sex entertainment. Victims also are used in labor exploitation, such as domestic servitude, sweatshop factories or migrant farm work.
- The Trafficking Victims Protection Act, passed in October of 2000, enables victims of trafficking to be treated as refugees in regards to their eligibility for federally-funded benefits. The TVPA also created tougher penalties for trafficking-related crimes. It was reauthorized in December 2003.

Information from the Department of Health and Human Services

6th Annual KWLEN Conference a Success

The Sixth Annual Kentucky Women's Law Enforcement Network Conference provided speakers and training on a wide range of topics and initiatives for the more than 100 participants.

The conference attendees also participated in a community service project to provide personal hygiene items for Veterans' Affairs Hospital patients.

2006 KWLEN OFFICERS

President

Linda Mayberry
Justice and Safety
Center

1st Vice President

Debbie Marasa-Holly
St. Matthew's Police
Department

2nd Vice President

Melanie Watts
Bowling Green Police
Department

Secretary

Jennifer Lube
Lexington-Fayette
County Police
Department

Treasurer

Bella Wells
Lexington-Fayette
County Police
Department

Historian

Jacqueline Pickrell
Kentucky State Police

KCPP ASSESSED COMMUNITIES



PINEVILLE

COUNTY: Bell
POPULATION: 2,093
SIZE: 1.4 square miles
CITY RANK: Fourth Class
MAYOR: Bruce Hendrickson
CHIEF: John Collins
SHERIFF: Bruce Bennett

DATE OF ASSESSMENT: August 15 to August 19
SITES ASSESSED: Bell Central School Center; Bell County Courthouse; Bell County Detention Center; Bell County EMS; Bell County High School; Bell County Senior Citizens Center; Bell-Whitley Community Action Agency; Farmer Helton Judicial Center; Lone Jack Elementary School; Pineville City Hall and Police Department; Pineville Community Hospital; Pineville Fire Department; Pineville High and Elementary schools; Pineville Utility Commission; Pineville Water Treatment Plant; Wilderness Trail Manor



Mt. Vernon

COUNTY: Rockcastle
POPULATION: 2,592
SIZE: 3.2 square miles
CLASS: Fifth Class
MAYOR: Clarice Kirby
CHIEF: Terry Jackson
SHERIFF: Darrell Doan

DATE OF ASSESSMENT: August 15 to August 19
SITES ASSESSED: Rockcastle County High School; Rockcastle County Middle School; Mt. Vernon Elementary School; Brodhead Elementary School; Roundstone Elementary School; Rockcastle Alternative School; Rockcastle Area Technology Center; Rockcastle County Courthouse; 911 Emergency Dispatch Center; Rockcastle Detention Center; Rockcastle County Sheriff's Office; Mt. Vernon City Hall; Mt. Vernon Police Department; Mt. Vernon Fire Department; Rockcastle Health and Rehabilitation; Rockcastle Hospital; Mt. Vernon Water Treatment Plant; Mt. Vernon Waste Water Plant; Brodhead Waste Water Plant; Livingston Waste Water Plant; Rockcastle County Judicial Building



Greenup

COUNTY: Greenup
POPULATION: 1,198
SIZE: .8 square miles
CLASS: Fifth Class
MAYOR: Charles Veach
CHIEF: John Brady
SHERIFF: Keith Cooper

DATE OF ASSESSMENT: August 22 to August 26
SITES ASSESSED: Ashland Regional Airport at Worthington;

CSX Rail Yards; Dupont Chemical; FAA VOR Beacon Site at Beauty Ridge; Greenup County Board of Education; Greenup County Courthouse; Greenup County Courthouse Annex; Greenup County E911 Center; Greenup High School; Greenup Lock and Dam; Kentucky/Ohio Bridges; Mark West Hydrocarbon; McKell Elementary School; Our Lady of Bellefonte Hospital; Railroad Bridge at Siloam; Russell High School; Tennessee Gas Transmission Plant; Tennessee Gas Pipeline; Wurtland Middle School



Stanton

COUNTY: Powell
POPULATION: 3,029
SIZE: 2.0 square miles
CLASS: Fourth Class
MAYOR: Virginia Wills
CHIEF: Kevin Neal
SHERIFF: Joe Martin

DATE OF ASSESSMENT: August 29 to September 1
SITES ASSESSED: Powell County High School; Powell County Middle School; Stanton Elementary School; Bowen Elementary School; Clay City Elementary School; East Kentucky Power Substation; Cabinet for Health and Family Services; Powell County Courthouse; Powell County Emergency Services Center; Clay City Municipal Building; Stanton Police Department; Stanton Fire Department; Tennessee Gas Pipeline Compressor Station; Beech Fork Water Treatment Plant/Reservoir; Stanton Waste Water Treatment Plant



Cynthiana

COUNTY: Harrison
POPULATION: 6,258
SIZE: 3.3 square miles
CLASS: Fourth Class
MAYOR: Virgie Florence Wells
CHIEF: Steve Muntz
SHERIFF: Bruce Hampton

DATE OF ASSESSMENT: September 6 to September 9
SITES ASSESSED: 3M Cynthiana Manufacturing; Bullard Industries; Cynthiana City Hall; Cynthiana Airport; Cynthiana Waste Water Treatment Plant; Cynthiana Water Tower North US 27 and Public Safety Communications Tower; Cynthiana Water Treatment Plant; Cynthiana-Harrison County E911 Center; Eastside Elementary School; Harrison County High School; Harrison County Middle School; Harrison Memorial Hospital; Kentucky Utilities Substation No. 690; Maysville Community College; Miles Farm Supply; Southern States



Bowling Green

COUNTY: Warren
POPULATION: 49,296
SIZE: 35.4 square miles
CLASS: Second Class
MAYOR: Elaine Walker
CHIEF: Bill Waltrip

SHERIFF: Jerry Gaines

DATE OF ASSESSMENT: September 12 to September 16

SITES ASSESSED: Warren Elementary; Potter-Gray Elementary; Bowling Green Junior High; Warren East Middle School; Warren Central High School; Bowling Green High School; Warren County Courthouse; Bowling Green City Hall; Bowling Green Police Department; Warren Rural Electric Co-op.; Bowling Parks and Recreation; Bowling Green Municipal Utilities Office; Warren County Justice Center; Bowling Municipal Utilities Water Plant; Warren County Water Pump Station and Tower; Western Kentucky University; Science Building; Kelly Thompson Complex North and Center Wing; E. A. Diddle Arena; L. T. Smith Stadium; Heating Plant; Applied Physics Institute; Thermal Analysis Laboratory; Bowling Green Police Department; Supply Services building; Eastwood Baptist Church; Hildreth Oil Company; Richpond Crop Services; Medical Center at Bowling Green; Greenview Regional Hospital; First Baptist Church; Community Action of Southern Kentucky; WBKO 13; Greenwood Mall



Florence

COUNTY: Boone
POPULATION: 23,551
SIZE: 9.9 square miles
CLASS: Third Class
MAYOR: Diane Ewing Whalen
CHIEF: Tom Szurlinski
SHERIFF: Mike Helmig

DATE OF ASSESSMENT: September 19 to September 23

SITES ASSESSED: Florence Government Center; Communication Tower; Florence Aquatic Center; One Stop Government; Facility/ Kentucky Environmental Protection; 5th/3rd Bank Center; St. Luke West Hospital; Turfway Park Race Track; Champion Window Field; Ockerman Middle School; St. Paul School; Cincinnati Bell Telephone Station; Heritage Academy; Boone County High School; Florence Fire Department-Headquarters



Burlington

COUNTY: Boone
POPULATION: 10,779
SIZE: 8.4 square miles
SHERIFF: Mike Helmig
DATE OF ASSESSMENT: September 19 to September 23

SITES ASSESSED: Walton-Verona High School; Walton-Verona Elementary; Conner High School; Conner Middle School; Ryle High School; St. Henry High School; Alternative Center for Education; Boone County Justice Center; Boone County Public Safety Campus-Sheriff's Office; Sachs Automotive; Schwan's Global Supply Chain, Inc.; Aristech Acrylic; McLane Food Services; Hebron Station District Office-Mid Valley Pipeline



Danville

COUNTY: Boyle
POPULATION: 15,447
SIZE: 15.8 square miles
CLASS: Third Class
MAYOR: John W.D. Bowling
CHIEF: Jeff Peek
SHERIFF: Leeroy Hardin

DATE OF ASSESSMENT: September 26 to September 30

SITES ASSESSED: Boyle County High School; Danville High School; Kentucky School for the Deaf; Boyle County Government Services and Detention Center; Coldiron-Watkins Memorial Water Filtration Plant; Elite Petroleum, Inc.; Southern States; Green Leaf Plant Food Wholesale Inc.; Norfolk Southern Danville Yard and Bridges; Norton Center for the Arts; Ephraim McDowell Regional Medical Center



Elizabethtown

COUNTY: Hardin
POPULATION: 22,542
SIZE: 24.1 square miles
CLASS: Fourth Class
MAYOR: David Willmoth Jr.
CHIEF: Ruben Gardner
SHERIFF: Charles Anthony Williams

DATE OF ASSESSMENT: September 26 to September 30

SITES ASSESSED: Central Hardin High; Elizabethtown High; Elizabethtown City Hall; Hardin Memorial Hospital; Hardin County Justice Center; Hardin County Courthouse; Addington Field; City Springs Water Plant; Valley Creek Waste Water Treatment Plant; Pear Orchard Road Water Tower; Cecilia Compressor Station; Hardin County 911; West Hardin Middle School; East Hardin Middle School; Helmwood Heights Elementary School; Hardin



>> County Water District 2; Elizabethtown Police Headquarters; Nolin RECC; Dow Corning Company; Kentucky State Police Post No. 4



Guthrie

COUNTY: Todd
POPULATION: 1,469
SIZE: 1.4 square miles
CLASS: Fifth Class
MAYOR: Albert Scott Marshall
CHIEF: Robert Whittlesey
SHERIFF: Keith Wells

DATE OF ASSESSMENT: October 3 to October 6
SITES ASSESSED: Logan Todd Regional Water Plant; CSX Railroad; Guthrie Waste Water Treatment Plant; Railroad Overpass Route US 79; Planters Elevator; South Todd County Elementary School; Guthrie City Hall/Police Department; Guthrie Fire Department; Koppers Incorporated; Guthrie Gas Metering Station; Guthrie Water Pumping Station – Clarksville; Guthrie Water Storage Tank/Communications Repeater



Calvert City/Benton

COUNTY: Marshall
POPULATION: 2,701 (Calvert City) 4,191 (Benton)
SIZE: 13.9 miles (Calvert City) 3.9 square miles (Benton)
CLASS: Fourth Class (Calvert

City) Fourth Class (Benton)
MAYOR: Lynn B. Jones (Calvert City) Larry Spears (Benton)
CHIEF: David L. Elliott (Calvert City) Gary West (Benton)
SHERIFF: Terry Anderson
DATE OF ASSESSMENT: October 3 to October 6
SITES ASSESSED: Marshall County High School; Wal-Mart; Marshall County Judicial Facility; Kentucky Dam; Kentucky Dam Park Airport; Benton Water and Sewer; Benton Elementary; Benton Middle School; Calvert City Fire, Police and City Hall; Calvert City Water and Waste Water Facilities; Calvert City Elementary



Falmouth

COUNTY: Pendleton
POPULATION: 2,058
SIZE: 1.3 square miles
CLASS: Fourth Class
MAYOR: Gene Flaughner
CHIEF: Robert Scott Jr.
SHERIFF: Lark O'Hara

DATE OF ASSESSMENT: October 10 to October 14
SITES ASSESSED: Falmouth City Hall; Falmouth City Maintenance Garage; Falmouth EMS Headquarters; Falmouth Fire

Department; Falmouth Police Department; Falmouth Water Plant; Midwest Gas; Pendleton County Courthouse; Pendleton County EOC/E911; Pendleton County Health Department; Pendleton County High School; Pendleton County Road Department; Pendleton County Sheriff's Office; Phillip Sharp Middle School; Southern Elementary School; Suburban Propane



Frankfort

COUNTY: Franklin
POPULATION: 27,741
SIZE: 14.7 square miles
CLASS: Second Class
MAYOR: William I. May Jr.
CHIEF: Mark Wilhoite
Sheriff: Ted Collins

DATE OF ASSESSMENT: October 17 to October 21
SITES ASSESSED: Bondurant Middle School; Bridgeport Elementary School; Collins Lane Elementary School; Elkhorn Elementary School; Elkhorn Middle School; Frankfort City Hall; Frankfort High School; Frankfort Plant Board – Water Plant; Frankfort Police Department; Frankfort Regional Hospital; Wal-Mart Super Center; Franklin County High School; Franklin County E-911 Center; Franklin County Courthouse; Hearn Elementary School; Montaplast of North America; Network Operations Center; Peaks Mill Elementary School; Second Street School; Western Hills High School



West Liberty

COUNTY: Morgan
POPULATION: 3,277
SIZE: 4.4 square miles
CLASS: Fourth Class
MAYOR: Robert W. Nickell
CHIEF: James Keeton
SHERIFF: Mickey Whitt

DATE OF ASSESSMENT: October 24 to October 27
SITES ASSESSED: Ferrell Gas; Morehead State University Center; Morgan County Appalachian Regional Hospital; Morgan County Courthouse; Morgan County Government Office Building; Morgan County High School; Morgan County Middle School; Mountain Telephone; Old Mill Park; Oldfield's Farm Supply; University of Kentucky Technical Building; West Liberty City Government Building; West Liberty Elementary School; West Liberty Water Plant



Frenchburg

COUNTY: Menifee

POPULATION: 551

SIZE: 1.0 square miles

CLASS: Sixth Class

MAYOR: Dwain E. Benson

SHERIFF: Rodney Coffey

DATE OF ASSESSMENT: October 24 to October 27

SITES ASSESSED: Frenchburg City Hall; Clark Energy Cooperative; Menifee County Sheriff's Office; Kentucky Cabinet for Families and Children; Menifee County High School; Menifee County Middle School; Menifee County Elementary School; Menifee County Board of Education office; Botts Elementary School; Menifee County Court House; Cave Run Water Commission Water Treatment Facility; Menifee County Farm Supply; Frenchburg Waste Water Treatment Plant; Gladie Welcome Center; Edgewood Estates

KCPP Will Assess 30 Additional Communities in 2006

The Kentucky Community Preparedness Program, the Department of Criminal Justice Training's homeland security initiative that is preparing small- and medium-sized communities across Kentucky, has received a \$1.2 million grant to assess an additional 30 communities in 2006.

The assessment, which helps identify vulnerabilities and tighten security, is the first step a community takes to prepare itself and protect its citizens from a hostile event, a natural disaster or criminal activity.

"This program is a vital investment in Kentucky's safety," Governor Ernie Fletcher said.

The Kentucky Office of Homeland Security previously approved \$2.4 million for the implementation of KCPP in 60 small- and medium-sized communities throughout the state in 2005. ■

Richmond Awarded



▲ Governor Ernie Fletcher presents Richmond Mayor Connie Lawson with a Prepared Kentucky Community certificate at a ceremony honoring the city and Madison County for the advances they have made to public safety. Standing with the governor and the mayor, from left to right, are Madison County Judge Executive Kent Clark, Rep. Harry Moberly, Sen. Ed Worley, KOHS Director Alecia Webb-Edgington and Lt. Governor Steve Pence.

Crawford v. Washington

Implications of the Confrontation Clause of the Sixth Amendment to the United States Constitution

/Hon. Neil Martin, Assistant Commonwealth Attorney 25th Judicial Circuit (Madison, Clark)

/Thomas W. Fitzgerald, Staff Attorney Legal Training Section

[Ed. Note: This is Part I of a two-part article that will review the legal issues associated with the decision of the United States Supreme Court in this case.]

On March 8, 2004, the United States Supreme Court decided the case of *Crawford v. Washington*¹. Justice Antonin Scalia wrote the majority opinion of the case, and he was joined by Justices Stevens, Kennedy, Souter, Thomas, Ginsburg and Breyer. A concurring opinion was tendered by Chief Justice Rehnquist, and he was joined in his opinion by Justice O'Connor. In a nutshell, the Court held that out-of-court statements by witnesses that are testimonial are barred, under the Confrontation Clause of the Sixth Amendment², unless witnesses are unavailable and defendants had prior opportunity to cross-examine witnesses, regardless of whether such statements are deemed reliable by court, which was the "old" standard used to evaluate such statements³.

On August 5, 1999, Kenneth Lee was stabbed at his apartment. Police arrested Michael D. Crawford later that night. After giving Crawford and his wife, Sylvia, Miranda warnings, detectives interrogated each of them twice. Crawford eventually confessed that he and Sylvia had gone in search of Lee because he was upset over an earlier incident in which Lee

had tried to rape her. The two had found Lee at his apartment, and a fight ensued in which Lee was stabbed in the torso and Crawford's hand was cut⁴.

Crawford's trial was conducted upon the charges of assault and attempted murder and he claimed self-defense. The state of Washington played for the jury Sylvia's tape-recorded statement to the police describing the stabbing, even though he (Michael) had no opportunity for cross-examination. Sylvia did not testify at the trial because of the state's marital privilege, which generally prevented a spouse from testifying without the other spouse's consent. In the state of Washington, however, the marital privilege did not extend to a spouse's out-of-court statements admissible under a hearsay exception. Therefore, the state sought to introduce Sylvia's tape-recorded statements to the police as evidence that the stabbing was not in self-defense⁵. Crawford claimed that admitting the evidence would violate his federal constitutional right to be "confronted with the witnesses against him."⁶

Justice Scalia opined that "Leaving the regulation of out-of-court statements to the law of evidence

would render the Confrontation Clause powerless to prevent even the most flagrant inquisitorial practices.”⁷ The Court in the decision makes a distinction between testimonial and non-testimonial statements and undertakes a historical review of prior decisions.

Under the court’s prior decision in *Ohio v. Roberts*⁸, the right (to be confronted with the witnesses against him) does not bar admission of an unavailable witness’s statement against a criminal defendant if the statement bears “adequate ‘indicia of reliability,’” a test met when the evidence either falls within a “firmly rooted hearsay exception” or bears “particularized guarantees of trustworthiness.”⁹ Crawford’s trial court let Sylvia’s tape-recorded statements to the police into evidence based upon the analysis that it bore a “particularized guarantees of trustworthiness.”

From a historical perspective, the framers of the Constitution would not have allowed admission of testimonial statements of a witness who did not appear at trial unless he was unavailable to testify and the defendant had had a prior opportunity for cross-examination. English authorities and early state cases indicate that this was the common law at the time of the founding. The Sixth Amendment’s “right ... to be confronted with the witnesses against him,” is most naturally read as a reference to the common-law right of confrontation, admitting only those exceptions established at the time of the founding¹⁰.

Where testimonial statements are involved, the opinion of Justice Scalia continued, “We do not think the framers meant to leave the Sixth Amendment’s protection to the vagaries of the rules of evidence, much less to amorphous notions of ‘reliability.’ Admitting statements deemed reliable by a judge is fundamentally at odds with the right of confrontation. To be sure, the clause’s ultimate goal is to ensure reliability of evidence, but it is a procedural rather than a substantive guarantee. It commands, not that evidence be reliable, but that reliability be assessed in a particular manner: by testing in the crucible of cross-examination.”¹¹

Where testimonial evidence is at issue, however, the Sixth Amendment demands what the common law required: unavailability and a prior opportunity for cross-examination. We leave for another day any effort to spell out a comprehensive definition of “testimonial.” Whatever else the term covers, it

applies at a minimum to prior testimony at a preliminary hearing, before a grand jury, or at a former trial; and to police interrogations. These are the modern practices with closest kinship to the abuses at which the Confrontation Clause was directed. Where testimonial statements are at issue, the only indicium of reliability sufficient to satisfy constitutional demands is the one the Constitution actually prescribes: confrontation.¹²

The decision provides guidance, in fact appears to have created a bright-line rule, in that if an out-of-court statement is taken by a government agent, (including, but not limited to, law enforcement officers) and offered against a criminal defendant the statement will be considered to be testimonial if the witness reasonably could expect that the statement will be used in a later trial. The statement then is only admissible if the person who makes it testifies at trial, or if such person is unavailable at trial the defendant had a prior opportunity to cross-examine the person. The person who bears such testimony must be confronted with the rigors of cross-examination. By so holding, the Court abolished the *Ohio v. Roberts*¹³ test in cases of testimonial hearsay statements. 🍌

Part II, in the next issue of Kentucky Law Enforcement, will conclude with an examination of some case law decisions over issues that have been implicated with the changes announced by the Court in this decision.

¹*Crawford v. Washington*, 124 S. Ct. 1354 (2004)

²Constitution of the United States, Sixth Amendment

³*Ohio v. Roberts*, 100 S. Ct. 2531 (1980)

⁴*Crawford v. Washington*, 124 S. Ct. 1354, 1357 (2004)

⁵*Id.* at 1357, 1358

⁶Constitution of the United States, Sixth Amendment

⁷*Crawford v. Washington*, 124 S. Ct. 1354, 1364 (2004)

⁸*Ohio v. Roberts*, 100 S. Ct. 2531 (1980)

⁹*Id.* at 2531

¹⁰*Crawford v. Washington*, 124 S. Ct. 1354, 1356, 1357 (2004)

¹¹*Id.* at 1370

¹²*Id.* at 1374

¹³*Ohio v. Roberts*, 100 S. Ct. 2531 (1980)

DON'T GET LOST IN THE SEARCH FOR A MISSING PERSON

/Mark E. Ihrig, J.D., Deputy Director Boone County Emergency Management

The terrible outcome of the June search for three missing Camden, New Jersey children drew national attention to law enforcement procedures for missing person reports. The Camden youths were found dead in the trunk of a car in the same yard where they were last seen 50 hours earlier. The Camden Police Department policies, training and search procedures all came under intense scrutiny.

Do not wait for a tragic event such as this to force your agency into action. Now is the time to review your procedures for handling missing person reports and search incidents.

Kentucky law enforcement agencies and dispatch centers are required by KRS 39F.180(5) to have a written procedure for handling missing person reports and requests to search for missing, lost or overdue persons. Your written procedures should, at a minimum, address how a missing person report will be handled, criteria for deciding when to search, search procedures, and who and when to notify. You should consult with your local Emergency Management Director, local Search and Rescue Coordinator and any rescue squad that serves your jurisdiction. The Kentucky Division of Emergency Management state coordinator of Search and Rescue is another valuable resource.

In addition to your agency procedures, KRS 39F.190 requires that your jurisdiction have a comprehensive, written search and rescue plan that is a part of the local Emergency Operations Plan. The development of this search and rescue plan is the responsibility of the local search and rescue coordinator. Pursuant to KRS 39F.200, the local search and rescue coordinator is either the Emergency



Management director or a designee appointed with the concurrence of local government. Your agency should offer to assist in the annual review of the search and rescue plan or, at the least, should become familiar with the plan so that your agency's written procedures are consistent with that plan. The basic procedures for all law enforcement agencies in a county should be similar.

There is no statutory guidance that tells us when to initiate an active search. Search

is defined in KRS 39F.010(6) as "the active process of looking for a person or persons whose location is not precisely known, and who may be in distress." The determination to search should be based on the urgency or possibility of distress. The law does not require, or even suggest, any so called "waiting period" or delay in reporting a missing person or initiating a search. KRS 39F.180(7) makes it clear that there should be no delay in notifying appropriate resources to respond to a missing person report or a request to search if necessary. Your agency should incorporate into your written procedures the criteria that a first responder, usually a law enforcement officer, should consider when determining if an active search is required.

Your agency procedures should also provide guidance as to which events are generally not considered a search mission. These may include: locating a wanted person, escapee or absconder; locating an adult who has run away voluntarily; and locating a child over the age of eight who has run away voluntarily provided there is no evidence to the contrary. These incidents are generally deemed law enforcement matters. Additional guidance should be provided to assist with determining the need to search. It is important to consider the following factors when determining the need to search: age, medical conditions,

whether the missing person was alone or with others, their knowledge of the area, experience in the outdoors, weather conditions, appropriate clothing, hazardous terrain involved and any other information that may raise the search urgency. It is critically important not to assume that a missing child or teen is a runaway, particularly if there is no history of that behavior, or assume that an adult that is reported missing has gone voluntarily.

Should it be determined that a search mission is appropriate the following initial steps should be taken: 1) establish an identified command post location; 2) initiate interviews of appropriate persons to obtain all necessary information including the description and the Place Last Seen (PLS) or Last Known Position (LNP) of the person(s), obtain maps as appropriate for the area, including topographical maps, determine high probability areas where search efforts should initially be directed; segment the search area using natural and manmade boundaries, confine the search area using perimeter controls, deploy trained searchers to perform a quick search of high probability areas with an emphasis on clue consciousness. The use of a computer telephone notification system commonly referred to as "Reverse 911" may be helpful to call persons in a certain geographic area with the description and request them to call if they have seen the person or have any important information. Resources such as ground search teams, civilian search dogs and aircraft often take some time to be dispatched and deployed so it is important not to delay the request for appropriate resources. This is not the place for a go it alone mentality.

Call takers and first responders should quickly attempt to determine if the person reported missing has an organic brain disorder, including but not limited to Alzheimer's disease. KRS 39F.180(2)(b) requires that these incidents be immediately reported to the local Emergency Management director, the local Search and Rescue coordinator and the duty officer for the Kentucky Division of Emergency Management at (800) 255-2587.

Once the decision is made to initiate a search it is imperative to monitor the time that has elapsed. KRS 39F.180(1)(a) and (b) require that any search lasting longer than

two hours be reported to the local Emergency Management director and the local Search and Rescue coordinator. The better practice would be to notify them whenever you decide to initiate an active search so they can be involved from the outset and provide access to valuable resources. If the search continues for a total of four hours without the subject being located, KRS 39F.180(3) states that the incident must be reported to the duty officer for the Kentucky Division of Emergency Management. That responsibility usually falls to the local Search and Recovery coordinator.

Finally, follow-up is critical. Even if the situation does not initially appear to justify a

urgency and search methodology including a practice night search. Occasionally, the division also offers more advanced classes in managing search operations.

Every effort must be made not to be complacent with missing person reports and allow the routine to lull us into inaction. Failure to act appropriately in a timely manner, make the proper notifications and request the necessary resources can have a tragic result. 🐾

Referenced statutes may be found at: <http://www.lrc.ky.gov/KRS/039F00/CHAPTER.HTM>

/Photos submitted by Madison County Rescue Squad, Inc.



search, be aware that conditions do change. Law enforcement officers should remain in contact with the reporting party to determine if, at some point, an active search does become advisable. If the individual is found or returns, again, that information should be recorded so that the case can be closed.

Law enforcement and dispatchers may want to take advantage of the Basic Search and Rescue class offered by the Kentucky Division of Emergency Management. This class provides an excellent opportunity to learn essential skills for determination of search

▲ Bill Hicks (in red) and members of the Madison County and Estill County search and rescue teams gather to discuss whose jurisdiction will handle the search for the missing child who was swept away in high waters along the two counties' borders.

◀ Sookie, bloodhound, is owned and handled by Bud Dixon of the Jefferson County Search Dog Association. In this picture, Sookie is working a drowning search. Sookie is primarily a trailing dog, and is also trained in water and cadaver recovery.

NEW FINDINGS EXPAND UNDERSTANDING OF TUNNEL VISION, AUDITORY BLOCKING & LAG TIME

/Force Science News

Brain researchers at Johns Hopkins University have shed new light on the auditory blocking and tunnel vision officers often experienced during deadly encounters, while researchers at the University of Utah have surfaced new information related to lag time.

In both cases, the findings will help advance studies at the Force Science Research Center regarding officer behavior during shootings.

The Hopkins study, led by Dr. Steven Yantis, a professor in the Department of Psychological and Brain Sciences, tracked how the human brain handles competing demands for attention.

In a neuroimaging lab, adults ranging in age from 19 to 35 were asked to view a rapidly changing computer display of multiple numbers and letters while listening through headsets to three voices simultaneously speaking numbers and letters. This was intended to simulate “the cluttered visual and auditory input people deal with every day.” Using sophisticated imaging equipment, Yantis and his team recorded the subjects’ brain activity.

They found that when the subjects directed their attention to visual tasks (“tunneling in” on the computer screen), the parts of the brain that record auditory stimuli registered decreased activity. By the same token, when they focused on listening to spoken messag-

es, brain areas that respond to visual images showed diminished activity.

In effect, when a subject concentrated on one source of sensory input – looking at something, in this case – that essentially turned down the volume on the part of the brain that monitors hearing. And vice versa.

As Yantis puts it:

“When attention is deployed to one modality, it necessarily extracts a cost on another modality. The brain can’t simultaneously give full attention to both.”

Yantis uses this finding, reported in last November’s issue of the *Journal of Neuroscience*, to explain why cell phone conversations diminish a driver’s visual acuity for what’s happening on the road. But Dr. Bill Lewinski, executive director of the Force Science Research Center at Minnesota State University-Mankato, sees important law enforcement implications.

“This explains why officers defending themselves in a shooting may not hear things accurately, or at all,” he told Force Science News. “Their intense focus on a powerful visual stimulus – a threat to their life – causes their brain’s hearing receptors to shut down.

“We’ve known for a long time that shooting survivors often don’t hear their rounds going off, can’t remember hearing their part-

ners screaming in their ears, may have perceived their gunshots as puny pops and so on – many sound distortions or omissions. Now we know why this so-called auditory blocking takes place.

“Likewise, we understand why they may not see something within their field of vision, such as where their partner was standing, where civilians were, when they are focused on listening to audible stimuli. And we know that these phenomena are real, an unavoidable part of the human condition, not just something cops imagine.”

In a Web-posted video explaining his experiments, Yantis references work at the University of Utah that, like his study, would seem to most civilians to have primarily road safety implications.

(The video can be accessed at: www.jhu.edu/news_info/news/audio-video/brain.html. You can click on the photo of Professor Yantis to launch the video or click the link at the end of the printed news release.)

At Utah, researchers monitored subjects talking on a cell phone while operating a visual driving simulator. This study measured reaction time and found, for example, that a driver’s reaction to the brake lights of a car ahead is significantly slower if he or she is engaged in a phone conversation.

Lewinski believes this finding, too, “has important law enforcement implications, concerning the impact of distraction. In this case, if you are listening to something (a cell phone conversation) it will delay your reaction to something that occurs in your visual field.”

But distractions within a particular sensory realm such as within your visual field, will produce delays, too, he points out. “If you are focused on watching one thing you won’t detect changes as rapidly in the other parts of your visual field that you aren’t concentrating on.

“For example, if you are intently watching a suspect’s right hand because you think he might produce a weapon there and instead he

comes up with a weapon in his left hand, your reaction time will be significantly impaired.”

In the practical world of the street and in court the ramifications of these perceptual studies are “profound and wide ranging,” Lewinski stresses.

They show, for instance, how dealing with multiple suspects in a high-stress encounter presents an extreme challenge to you as an officer. Not only will you be able primarily to see only what you are focused on at any given moment but your own brain may sabotage or delay your ability to perceive and react to threats outside your immediate focus. If you’re not anticipating a threat from beyond your point of concentration, you can be caught flat-footed and be way behind the reactionary curve when a threat is presented.

Moreover, you may be held to unrealistic standards in court or during departmental investigations after a major use of force if the persons probing or judging your actions don’t understand the psychological influences involved. “People questioning you are seriously deluding themselves if they think you can perceive, pay attention to, react to and remember everything with clarity and precision, even if it happened directly in front of you,” Lewinski says.

The reality is that most of us are pretty poor, in fact, incapable of perceiving and recording everything that occurs to us at any particular moment. Not perceiving the totality of an event is how we normally operate.

Even in non-stress situations, not to mention a life-threatening confrontation, once we focus on anything, even if it’s a thought in our own head, we significantly compromise our ability to perceive and remember what else is occurring around and to us.

The uninformed person will wonder why in a lethal situation you can’t remember how you moved or shot or how many rounds you fired or the movement of the very person you are shooting at to save your life.

The bottom line of Dr. Yantis’ work is that the brain has limited capacity for paying at-

tention and recording what it perceives. It shifts among competing stimuli to accommodate what seems most important, and blocks out the rest.

In reality, you may be capable only of vague generalizations after an experience like a shooting. Those investigating or judging you need to realize you are not feigning lack of memory. Details that were not important to your survival during the microseconds of a shooting may not have been recorded. You will simply remember what you were focused on at the time, not what someone who was not there at the moment of crisis may think later is important.

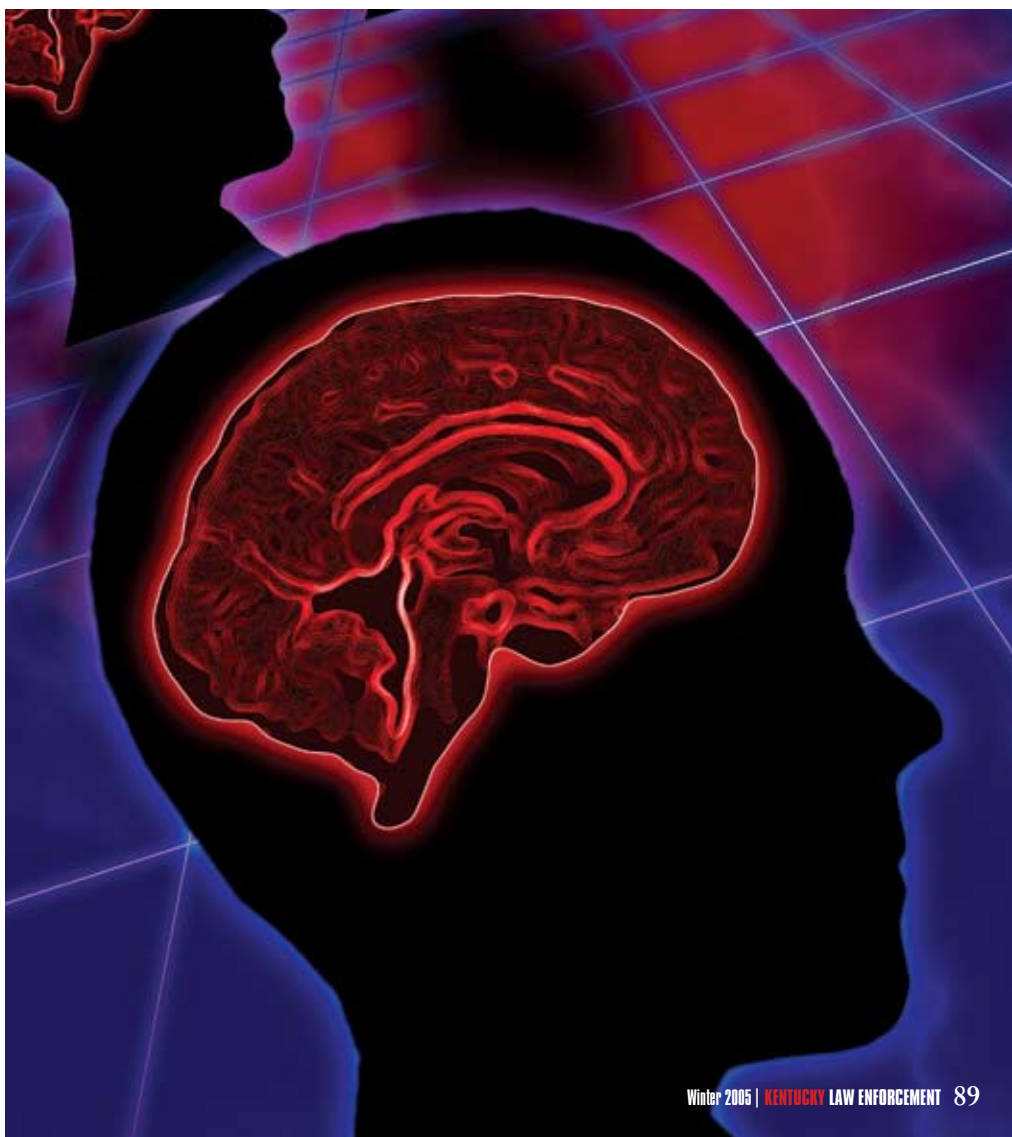
Part of FSRC’s mission is to research how officers can cope with the phenomena revealed in the university studies cited above. A number of experiments are underway or planned at the center to explore perception

and reaction time in complex new ways, Lewinski says, and these latest studies will assist in that research. “Later,” he says, “we will investigate how training can best be designed to help officers better overcome the challenges they face.”

For a more complete discussion of the recent university studies and their implications for law enforcement, go to:

<http://www.forcesciencenews.com/visuals/newdev.pdf>

There you’ll find a special report Lewinski has prepared, including a detailed examination of one reaction-time challenge in particular – the time it takes officers to respond to a change in circumstances and stop shooting at a previously perceived threat.



TAILOR-MADE TECHNOLOGY: IN-CAR DIGITAL VIDEO RECORDER

/NLECTC

It offers high-quality digital video recording capability in a unit small enough to fit between a patrol car's visors and continuous recording of images and sounds onto a hard drive in a preprogrammed loop, usually 1 to 2 minutes long. When overhead pursuit lights are activated, the recorder automatically saves the previous loop and continues recording, without erasing, until pursuit lights are turned off. Images include a date/time stamp and can be synchronized with radar readings and global positioning system data. At the end of a shift, the hard drive can be removed and images downloaded into a database for search and retrieval. The device includes automatic focus, automatic zoom, and simultaneous audio recording, and it provides higher quality images than videotape. Operational range is more than 1,000 feet. It can be activated remotely and images transmitted to headquarters through a panic button. It helps ensure evidence integrity through an electronic chain of custody and an encrypted algorithm that reflects any change to the file. If the Coban In-Car Digital Video Recorder seems tailor-made to law enforcement needs, it is — in part due to the developer's goal to meet the unique needs of policing and in part due to the commercialization assistance provided through the Office of Law Enforcement Technology Commercialization.

In 2001, Coban Research and Technologies, Inc. set out to apply digital video recording techniques to the particular needs of law enforcement. A pilot project with the Texas Department of Public Safety provided

Coban's designers the opportunity to ride along with officers and fine tune the newly developed system. Coban began by building a very rugged system for the troopers from Humble, Texas, a Houston suburb. Coban staff rode with troopers in their newly equipped cruisers, troopers like Jeff Shipley, who once played in the Canadian Football League, and his partner Don Bender. Each stands almost 6 ½ feet and weighs approximately 250 pounds. "We were learning how the officers



work in the car, how the district attorney accepts evidence, things like that, and we were able to fine tune our system to provide great utility for them," Coban Director David Hinojosa said.

It was also during 2001 that Hinojosa contacted OLETC to find out more about the law enforcement market. "When Coban called," OLETC Technology Agent Wayne Barte said, "we thought they'd be a good candidate for our Commercialization Planning Workshop. Company representatives attended in June 2002. They got a lot out of the workshop because they put a lot of effort into the process. At that time, they had a real bare-bones system and didn't know what agencies could

afford to buy or what features officers were looking for in doing their jobs."

OLETC, located in Wheeling, West Virginia, is the commercialization arm of the National Institute of Justice's National Law Enforcement and Corrections Technology Center system, with a mission of placing innovative technology in the field and helping law enforcement and correctional officers do their jobs more efficiently and safely, Barte said. At any given time OLETC staff members are working with a number of vendors that have products in various stages of development. Also, every year OLETC hosts several Commercialization Planning Workshops — 4-day events that introduce all elements of the commercialization process to technology innovators and provide guidance on the technology and its proposed business plan.

"We were still wet behind the ears," Hinojosa said. "I was still trying to understand the whole commercialization process. The workshop was where I began to grasp what we needed to do and the steps that needed to take place. We learned we needed to synchronize our engineering and marketing efforts. Now we're into the second version of our product."

After attending the workshop, Hinojosa tried to make a connection with IBM, calling hundreds of people until he finally got the company's attention. Coban ultimately became an IBM business partner, reselling products to IBM. Thus, when the Yakima (Washington) Police Department called looking for a digital video system about a year later, IBM became the prime contractor and Coban became the subcontractor. IBM and Coban have since run pilot projects in Santa Barbara, California; St. Louis, Missouri; and Tyler, Texas.

"All these departments are different, with different procedures, different needs and different requirements for mounting the hardware in their cars. The pilot projects led to contracts with all three departments," Hinojosa said. ■

For more information about the Coban In-Car Digital Video Recorder or the commercialization assistance activities offered by OLETC, contact Wayne Barte, (888) 306-5382 or wbarte@oletc.org. OLETC maintains a Web site at www.oletc.org.

What's New?

Breathalyzer Source Code Must Be Disclosed

CNET (11/03/05); MCCULLAGH, DECLAN



A Sarasota County court ruling could drastically impact the use of electronic breathalyzers as evidence in cases filed against suspected drunk drivers. The justices ruled that a defense expert must be given access to the source code used by the Intoxilyzer 5000 developed by CMI of Owensboro. "Unless the defense can see how the breathalyzer works," the decision reads, the device amounts to "nothing more than a 'mystical machine' used to establish an accused's guilt." Florida courts have been at odds over the use of breathalyzers as evidence and the public's and defense's right to information about their inner workings. Some cases have been tossed out while other courts have ruled that such data is a trade secret and deserves to be guarded. A 1988 case found that police had changed a device so much that its results could no longer be considered accurate or be admitted as evidence. http://news.com.com/Breathalyzer+source+code+must+be+disclosed/2100-1028_3-5931553.html

com/Breathalyzer+source+code+must+be+disclosed/2100-1028_3-5931553.html

Data Center Heads State Security Plan

DALLAS MORNING NEWS (11/02/05) P. 1A; MITTELSTADT, MICHELLE

Texas is building a new information center that examines data from 2,685 police departments across the state using data-mining techniques. The aim is to help agencies enhance policing and recognize potential terrorism patterns from apparently unrelated information. The Texas Fusion Center is a five-year initiative intended to integrate 34 state agencies and 24 regional councils to aid in thwarting terrorism, safeguarding key infrastructure, and recovering from disaster. The initiative links embedded fingerprints to driver's licenses and identification cards; creates a database for identifying risks faced by critical infrastructure such as seaports, petroleum refineries, and waterways; enhances surveillance efforts to detect possible disease or agricultural threats; and helps school districts develop their own risk assessments. State officials

say the plan would be paid for through local, state and federal money, but did not give an estimate of costs. Such fusion centers are already in operation in states such as Arizona, Colorado, Kansas, Massachusetts, and New York, and are underway in Kentucky. "All we're doing is collocating law enforcement data for law enforcement users," said Texas homeland security Director Steve McCraw. He added that only law enforcement data would be assessed rather than credit card data, medical information or property ownership data, and that the center has been reviewed to eliminate privacy issues. http://www.wfaa.com/sharedcontent/dws/news/texasouthwest/stories/DN-homeland_02tex.ART.North.Edition2.1d2df6f8.html

has already made two arrests, even though they have only gone online three times in their first three months of active participation in chat rooms. Similarly, Reserve Officer Julie Posey of the Wellington (Kansas) Police Department – who first started combating online pedophiles as a civilian intern in a Colorado district attorney's office – says that when she enters a chat room pretending to be a young teen, "I'll be contacted by 20 to 40 men in the first few minutes. And they're not saying 'Hi, how are you?' They're saying, 'Are you naked?'" While the vast majority of online predators are male, there have been cases involving women, including women meeting male teens online and mothers willing to sell their children for sex. The nature of people arrested for preying on children

online could also come

as a surprise; in affluent Peachtree City, Georgia, for example, people arrested include a school superintendent, a Web designer employed by a school board and a production engineer for a major broadcasting firm. Many of the law enforcement officials who end up on the online-predator beat were never expecting to end up there, but just find their way into the duty by circumstance. Posey, however, is an exception, as she started combating online pedophiles as a civilian because of her experience being molested as a child, and her civilian efforts inspired a 2003 TV movie. <http://www.policemag.com>.

Trolling for Predators

POLICE (10/05) VOL. 29, NO. 10, P. 32; KYRIK, KELLY

According to a study titled "On-line Victimization, a Report on the Nation's Youth," one-fifth of the estimated 35 million children using the Internet has received an online sexual solicitation in the past year. This has given rise to a new breed of law enforcement officials all over the country who work to combat "computer facilitated crimes against children" by uncovering pedophiles in online chat rooms. Most of them have been taken aback by how brazen the predators online can be – for example, the Laguna Beach (California) Police Department





Pilot Project Focuses on Communications Interoperability

Kentucky has been selected as one of only two states to participate in a first responder communications interoperability pilot project, according to the U.S. Department of Homeland Security. The project focuses on communications capabilities among first responders, particularly wireless communications.

Governor Ernie Fletcher, joined by U.S. Department of Homeland Security representative Dr. David Boyd and Kentucky Office of Homeland Security Director Alecia Webb-Edgington, announced Kentucky's selection in a public ceremony commemorating the events of September 11, 2001.

"While we remember the sacrifices of those who have laid down their lives for the cause of freedom, we are re-

minded of the necessity to ensure that tragedies like the one of September 11, 2001 never happen again," Governor Fletcher said. "On that fateful day, over 300 New York City firefighters lost their lives because they couldn't communicate with one another and with local law enforcement. This pilot project will help us ensure that such a tragedy never occurs here in the Commonwealth, whether it is due to a natural or man-made disaster."

Governor Fletcher announced the pilot project is expected to save the state several million dollars in future funding.

"This pilot will be driven by the practitioner community – the men and women who use communications equipment on a daily basis," Boyd said. 🌿



KENTUCKY

LAW ENFORCEMENT

Department of Criminal Justice Training
Kentucky Justice and Public Safety Cabinet

Funderburk Building Eastern Kentucky University
521 Lancaster Avenue
Richmond, KY 40475-3102

615-010

NON-PROFIT ORG.
U.S. POSTAGE

PAID

RICHMOND, KY
Permit No. 2